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PRACTICAL ESSAYS
ON AMERICAN GOVERNMENT

Practical Essays

on

American Government

BY

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PREFACE.

THESE essays, with the exception of that on the Chilean question, have been gathered up from various periodicals in which they have appeared during the last half dozen years. They are studies of detached phases of the subject which most interests the author—the actual working of government in the United States. Perhaps the term "practical essays" needs explanation: it means only that the essays aim rather to describe things as they are than to suggest what they ought to be. Yet in political affairs it is especially difficult to get below the surface, and to distinguish effective muscle and tendon from the inert matter which surrounds them. I cannot hope to have avoided mistakes which will be evident to those officially engaged in the public service. I have at least endeavored to profit by the criticisms passed upon the individual essays as they appeared, and have brought them down to date, so far as new material was accessible.

Acknowledgments are due to the editors and publishers of the *Atlantic Monthly*, *Forum*, *Political Science Quarterly*, *New England Magazine*, *New Review*, *Chautauquan*, *Quarterly Journal of Economics*, and *Magazine of American History*, for their kind permission to reprint articles.

ALBERT BUSHNELL HART.

CAMBRIDGE, July 1, 1893.

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I.

THE SPEAKER AS PREMIER.

DURING the last half dozen years American newspapers have fallen into the habit, half jocose and half complimentary, of calling the Secretary of State the Premier. At the same time, a small and very earnest band of men have urged upon the country the adoption of something resembling the English parliamentary system, with a prime minister at the head. Both the wits and the reformers have failed to observe that there has actually grown up within our system of government an officer who possesses and exercises the most important powers entrusted to the head of the administration of England. This insistence upon a development which has not taken place, and neglect to notice one of the most remarkable phenomena of our constitutional growth, perhaps is due to a confusion as to the real place and powers of the English prime minister. I shall attempt, therefore, to set forth what he may do, and how far the Speaker of the House of Representatives stands in his place.

The English Premier, or prime minister,—a title unknown to the law,—is the person acting as the official head of the party, or combination of parties, having a majority in the House of Commons. There is no formal election. The Queen summons the man whom she believes to be best possessed of the confidence of his party; and if he succeed in inducing a sufficient number of his fellow-members in either house to take office with him, and if the other members of the party tacitly accept the ministry thus formed, the Premier remains in power until he is no longer able to command a majority in the Commons. The popular title of Premier is well applied, since its possessor is at the same time the head of the executive power of the nation and the leader of Parliament. In the first capacity he is responsible for the acts of all his colleagues, unless he disavows them. He takes counsel with the other ministers, and their resolutions upon certain subjects of detail have, under the name of Orders in Council, the force of law. The foreign policy of the nation, the maintenance of internal peace, the execution of laws, are subject to the ministry, and in the action of the ministry he must lead, or lose prestige.

The second great function of the Premier is that of leader of Parliament. The ministry bring forward a series of government propositions, which have precedence over bills introduced directly by private members. Not only are the important

bills introduced by the ministry; the order in which they shall be brought forward and pressed to a vote is also decided by the ministry, who form, therefore, practically a committee of both houses on a legislative programme. The Premier is usually one of the best debaters in Parliament, able to defend his ministry against criticism upon their executive action and against attack upon their bills. Should the House of Commons at any time refuse to accept a government measure upon which the ministry insist, or should it adopt a different order of business from that laid down as a government programme, the ministry, by long-established custom, must immediately resign.

Under the American system of government, the two functions of the English ministry are also exercised; but by the deliberate action of the framers of the Constitution those duties are divided. Whether or no the parliamentary system is better than our own, it is certainly precluded by the Constitution as it stands, and does not obtain in any State of the Union. The executive duties performed in England by the Premier, in the United States are performed by the President. The Secretary of State is constitutionally a subordinate of the President, and stands upon the same footing as the other cabinet ministers, with the single exception that by the act of 1886 he is the first named in the succession to the presidency, in case

of lapse through the death or disability of both President and Vice-President. By long-established custom he is usually, although not invariably, a recognized leader of the party to which the President belongs. It is the President, however, through whom the unity of the administration is preserved; it is the President alone who can decide between conflicting policies or conflicting acts of his secretaries. Not only has Congress no power to interfere with the acts of the President or to cause his resignation; it cannot cause the dismissal of any of his secretaries or their subordinates. On the other hand, the President and his secretaries have no powers of control or direction over either house of Congress. In accordance with an early and unfortunate custom, all communications between the cabinet ministers and Congress are made in writing. One day in August, 1789, President Washington appeared in the Senate with General Knox, the Secretary of War, and announced that the latter would explain to the Senate a scheme of Indian treaties. The Senate, uneasy at the presence both of President and Secretary, referred the matter to a committee. Knox returned alone, a few days later; but since that time it does not appear that any cabinet officer has been heard in either house; and since 1801 the Presidents have made their communications in writing. Secretary Blaine is reported to have said that he would give two years of his life

for an opportunity to debate in Congress a measure which he considered of prime importance. A rule of either house would at any time establish the custom of listening to ministers, and would thus prevent much jarring and disharmony. Neither house has ever shown any disposition to pass such a rule.

The congressional system has led to a great practical inconvenience. At the beginning both houses were small: the House had but fifty-three members, the Senate but twenty-two. They legislated for a people of four millions, for the most part in agricultural communities. The Senate now has eighty-eight members, the House three hundred and fifty-six. They represent a people of sixty-seven millions, with many varied interests. The subjects of legislation have, therefore, steadily increased, and the quantity of legislation has grown even in greater proportion. In Washington's first administration, 1789–93, 196 acts were presented for the President's signature; in Cleveland's first administration, 1885–89, about 3,700 acts went through both houses of Congress and were submitted for executive approval. This enormous mass of legislation has taxed to the utmost the digestive powers of Congress. Measures of great public moment have failed to be considered, or have failed to pass, on account of the confusion and crush of public business; and the closing days of each Congress have witnessed scenes of

reckless voting on measures hardly read or not understood, which must be carried through within a few hours or fail altogether. An examination of the statute books shows that in the administrations of Hayes and Arthur about one-fifth of the acts of Congress received the President's signature in the last three days of the final sessions; in Cleveland's first administration about one-ninth. President Arthur signalized the last three days of his term by signing 217 bills. President Cleveland, on March 1 and 2, 1889, signed 162 bills.

Very early in the history of Congress it was seen that it was impossible for the House as a body to examine all the bills submitted. In the Continental Congress and the Confederation there had already been established a system of select and standing committees for the consideration of special branches of legislation, and for the preparation of bills. For instance, the celebrated Northwest Ordinance of 1787 was reported by a select committee. As the system of responsible ministers was not adopted, and as the houses deliberately chose to deprive themselves of the presence and voices of the President's advisers, the committee system was continued without much consideration. For many years business was assigned usually to select committees. The first standing committee of the House was formed in 1789; in 1812 there were but nine. As the business of Congress increased, the number of the committees increased

in like ratio. There are, in 1893, forty-nine standing committees in the House and forty-four in the Senate; besides twenty-five so-called select committees, which do not essentially differ from the standing committees. Each Congress frames its own rules, but it is usual to adopt the classification of committees which has already been found convenient. Those members who are re-elected are likely again to receive appointment to the committees on which they have served in the previous Congresses. In this way there is established a certain continuity of service and of position. The chairmen of the committees and the majority of the members of each committee are always of the dominant party. So important is the committee work considered that there is a fierce strife among the members to secure valued appointments, and men have often won great reputation as successful administrators in important committees. Thus the late Samuel J. Randall was for many years chairman of the powerful Committee on Appropriations.

Although the business of Congress and the number and complexity of the committees have increased, the number of days in the year has remained constant. The committees have learned by long experience that a measure upon which they have spent much time in the perfection of details may at last fail for simple want of consideration in one of the houses. There is, therefore,

a constant and increasing strife between the chairmen of committees for the possession of the floor and the opportunity to report their bills, although they are members of the same party, and usually not unfriendly to each other. The result is that a very appreciable portion of the time, especially of the House of Representatives, is spent in fighting for the floor. One committee and its measures stands in the way of another, and it is nearly impossible for the House to select between two rival measures that which it desires to consider first. When sweeping measures are reported, involving great party principles, and likely to affect approaching elections, Congress usually spends a considerable part of its time in discussing which shall be discussed. Days may pass without any appreciable advance in the business of the houses. The sixty committees have their own interests and their own favorite projects, which seem larger to them than great party measures. The result is confusion, waste of time, failure to consider bills, and a consequent legislative stampede at the end of the session, in which the good and deserving measures, in which the House is sincerely interested, are more apt to be trampled down than private measures, urged by a few persistent members.

With all its evils, the committee system in two ways relieves the House from the pressure of legislation. In the first place, no bill can be con-

sidered without having passed through a committee and having been reported by it. The result is the strangling of eight-tenths of the bills presented to Congress. In the Fiftieth Congress, 1887–89, there were introduced into the House no less than 12,933 bills and joint resolutions. Of these, 9,632 were never heard of again after having been referred to a committee, leaving 3,301 which received some sort of consideration. Only 1,605 passed the House, and of these only 1,385 passed the Senate. Nearly nine-tenths of the bills introduced had thus failed at some stage before presentation for the President's signature. The pigeon-holes of the committees are the resting-places of many thousands of unfledged measures. In the second place, the committees digest and arrange the details of measures, and many important bills, especially those correcting defects found in the working of the government, go through Congress substantially as reported by the committees. It is here that the cabinet ministers exercise their only direct influence on legislation. They appear before the committees, urge and explain particular measures, and not infrequently submit drafts of bills, which are accepted almost verbatim by the committee, and afterward by Congress. The great difficulty has been the lack of some institution to unify legislation. The bill reported by Committee B might unwittingly repeal the bill passed yesterday on report of Committee A; or the House is

called upon to spend its brief and valuable time in settling questions in dispute between committees—questions upon which an agreement ought to have been reached before any report was rendered.

That some relief must be obtained from such confusion and perplexity statesmen have long agreed. They have not seen so clearly that, by a process of silent development, there was being evolved a power which could simplify and unify the legislative process. That power is the Speaker, and he has reached his present importance by the absorption, based on the consent of the House, of six successive sets of powers.

The first Speaker, chosen in 1789, was simply a moderator. His duty was like that of other presiding officers—to apply the rules of the House so as to give the fairest opportunity of discussion, and to permit the freest expression of the will of the House. The Speakers of some of the colonial assemblies had been distinctly party leaders; and after national parties were organized—that is, from about 1793—the Speakers were chieftains of great influence in their party, but they still felt themselves simply to be moderators.

The second access of power came through the appointment of committees. The House for one year tried the experiment, which the Senate has successfully carried on to the present day, of choosing committees by ballot; but in January, 1790,

they voted to give this power to the Speaker. So long as the number of committees was small and committee positions were little sought for, this was still rather an administrative than a political power. As committee government grew, the power of the Speaker to give opportunities of distinction to his party friends also increased. By about 1840 the great influence of the committees was distinctly recognized: first in shaping legislation; and then in preventing legislation, by refusing to report bills to which the committee was opposed, but which the House might have approved. The Speaker began to assert a control over legislation through his power to appoint committees. Thus, in the choice of Speaker in 1849, a candidate who was on the point of being chosen lost the election, because it appeared that he had promised to constitute certain committees to the dissatisfaction of some of his party. The principle once completely established made the Speaker next in dignity and power to the President. He could decide at the beginning of the session what measures should not be brought to the attention of Congress; and he could have great influence, through the committees, in the preliminary shaping of the measures which would be submitted. There were, however, two practical restrictions upon this power: it was to be exercised not for his personal advantage and advancement so much as for the party which made him Speaker; and the

members of the committees, once appointed, felt no direct sense of responsibility to the Speaker, and thus might report measures to which he was personally opposed.

The period of the civil war did much to strengthen the powers of Congress at the expense of other departments; it also gave to the Speaker greater opportunities, both through the appointment of committees and through personal influence. The speakership became more and more desirable, not only for itself, but because it was an avenue to the presidency. Speaker Colfax was chosen Vice-President in 1868. His successor, Speaker Blaine, became a candidate for the nomination in 1876. But the third development of the Speaker's power rose rather out of the increasing pressure for the "floor;" that is, for the opportunity to take part in debate. There had been many cases in the history of Congress where members had been silenced, or the attempt had been made to silence them, by the infliction of some discipline. Such were the attempted censures of John Quincy Adams in 1832, 1837, and 1842. The rules had often been interpreted so as to cut off an obnoxious debater, as in the case of the first great abolition speech in Congress, in December, 1837. Somewhere between 1880 and 1890 there grew up the practice of the Speaker's refusing to recognize members because they had some propositions to bring forward obnoxious to his party. When, in

1887, a member wrote to Speaker Carlisle, asking that he might be recognized to move a repeal of the tobacco tax, the Speaker replied that he could not consent to entertain a motion against which the caucus of the party having a majority in the House had pronounced itself. The Speaker assumed the right, sanctioned by precedent, to refuse to permit a hearing for a proposition contrary to the principles of his party. The history of the session shows that the minority was free to introduce propositions and amendments, and that the restriction was not invariably applied to members of the majority. The principle which Mr. Carlisle seems to lay down is that the Speaker is a party chief, bound, so far as members of his own party are concerned, to carry out the policy accepted by the party in caucus or by general agreement. Mr. Carlisle expressed his purpose more openly than any of his predecessors had done. The power was a familiar one, and has since been regularly exercised.

From this point there is but a short step to the fourth advance, the practice of refusing to recognize members because they are personally obnoxious to the Speaker. During the last thirty years members have sometimes sat through an entire session, or even through two sessions of Congress, without ever being able to catch the Speaker's eye. Their only opportunity has been that of presenting bills on the call by States, or of discus-

sion in committees. At the adjournment of Congress in 1887, a member from Nebraska, who had a bill for a public building in his district, and who could not obtain the Speaker's recognition, walked for two hours up and down in front of the desk, entreating, cajoling, and ejaculating, and in the end tore his bill into fragments, and deposited them as a protest at the Speaker's feet. In all formal discussions, no member, with the exception of the accepted party leaders, need expect to be heard unless he has previously requested the Speaker to recognize him; and arbitrary Speakers do not hesitate to deny the applications of men whom they personally dislike.

Side by side with these successive developments has grown up a fifth undefined but effective power of the Speaker. By his power to state questions, to decide points of order, to control the formal business of the House, as well as by his immense personal influence, the Speaker has practically acquired a veto on any proposition brought to the attention of the House. The first precaution of a canny member is to assure himself that the Speaker will not oppose his bill; if that assurance cannot be obtained, either directly or through the influence of other members, there is practically no hope of securing its passage.

The powers of the Speaker thus developed, as moderator, as party chief, as the appointer of committees, as the dispenser of the right of taking

part in debate, and as possessor of a veto power, have made the Speaker's place more and more important, and more and more desired. But his authority has been negative rather than positive; the Speaker could prevent legislation, but he could secure none without a majority of the House. The Speaker might deny the floor, but he seldom occupied it. Henry Clay, the most distinguished and popular Speaker of the House, who was six times elected, and never had one of his decisions reversed, was accustomed to take active part in the debate. This practice has now become very rare. The Speaker has, however, had a large share in determining the policy of his party in caucus, and in holding the party to that policy. His power of appointing to committees has made his favor desirable. His prestige as Speaker, when backed by personal qualities of character and leadership, has made him by far the most important figure in Congress, and the second figure in the nation. The abler Speakers have had within their own party a political influence and predominance quite comparable with the party position of the English Premier.

The sixth and most important step in welding together the powers of the Speaker and in correcting the defects of the congressional system has been taken within the past few years. The Speaker, and a few other eminent members from his own party, have been constituted, by the con-

sent of that party, an informal committee to decide upon an order of business. The commission of the Speaker rests simply upon the fact that he has been chosen by the members of his party in the House as their legislative leader. Without precisely intending to create a new or a more powerful authority, the recent majorities have thus committed themselves to the practice of entrusting to a small body, in which the Speaker must be the predominant member, the direction not only of the policy of the party, but of the legislation of the House. The step is in no way connected with the peculiar principles either of the Republican or of the Democratic party. It is a natural and a desirable solution of the difficulties which have long beset Congress. The Committee on Rules, which now exercises this power, is made up of the Speaker and four associates, of whom two belong to the minority, and are practically excluded even from the routine business of the committee. The code of rules for the immediate government of the House, which that committee pressed in 1890 and which has been the subject of so much discussion, is the least interesting part of its work, because it had no necessary force after the expiration of the Fifty-first Congress. The important and the permanent service of that committee was to point out a way in which the majority in Congress may present in succession those measures upon which it desires to have a vote.

The committee is superior to all other standing committees in Congress, because it expresses the general will of the party as to whether the work of those standing committees shall or shall not be brought to the attention of the House. The man who controls or is most powerful in that committee is, therefore, a recognized political chief, a formulator of the policy of the party, a legislative Premier. That man is the Speaker.

The parallel between the English and the American Premiers is, of course, by no means exact. In the first place, our Speaker is powerful only in the House, while the Premier, through his majority in the House of Commons, may, and frequently does, overawe the House of Lords. The Senate is not bound to recognize the leadership of the Speaker of the House of Representatives; but even here there is an evident convenience in having a party chief, capable of laying down a policy of successive measures and of urging those measures through. Whenever hereafter the two houses are controlled by the same party, it is probable that some junto, of which the Speaker is the leading member, will arrange a programme of legislation for both houses. A second difference is that the Speaker is chosen for a definite term of two years, unless by vote compelled sooner to resign; but parties in the United States are much more stable than in England; the party which elects the Speaker invariably holds its majority to the end

of that Congress. Nothing, therefore, but the disregard of the wish of his own followers is likely to destroy the Speaker's power; and when his followers no longer stand by him, his position is much like that of the Premier against whom the House of Commons has passed a vote of want of confidence. The Speaker must resign, and his political influence will be destroyed. The executive part of the Premier's power is not within reach of the Speaker; but if the tradition of party action through the Speaker continues, the general policy of the party will be formed so as to include executive action. A President who wishes to stand well with his party is likely to aid in carrying out the programme arranged by the junto of which the Speaker is the leading member.

This most recent addition to the Speaker's power has not been conferred by the recent vote of the House in adopting rules, and in fact is not expressed in the Constitution, in the acts of Congress, or in the rules of the House. It is a natural growth, and part of the tendency throughout the national, state, and municipal systems to put responsibility upon individuals rather than upon boards. It is a wholesome reaction from a divided irresponsibility and a wasteful system of conducting the business of legislation. It secures at least the consideration of the measures held by the leaders of the majority to be most important. Those measures may or may not be for the public

good ; but under the new system the public has a better opportunity to place responsibility upon those members of Congress who, under any system, must control its operations, namely, the great leaders of the majority. The system is, therefore, likely to be continued in principle, if not in the same form, by each party when in the majority. The powers now exercised by the Speaker will probably be exercised by each succeeding Speaker, and will somewhat increase. Since the legislative department in every republic constantly tends to gain ground at the expense of the executive, the Speaker is likely to become, and perhaps is already, more powerful, both for good and for evil, than the President of the United States. He is Premier in legislation ; it is the business of his party that he be also Premier in character, in ability, in leadership, and in statesmanship.

II.

THE EXERCISE OF THE SUFFRAGE.

In the rivalry between the practical man and the critic in political matters, the latter seems just now to be attracting most attention; the man of affairs, who makes the best of institutions as he finds them, has not the same degree of public confidence that he had forty years ago, when the favorite theme of the orator was the perfection of the American system of free government. Ever since the end of Reconstruction there has been a most useful class of public-spirited men, sometimes in politics and sometimes outside, who have pointed out defects and suggested improvements. They have held the place which the prophets took in Hebrew history: their mission not to govern, but to arouse; their cry of "Woe unto them that are at ease in Zion!" has aroused the ill-will of the slothful, and has brought upon the critics the accusation of disloyalty to American institutions; but they have persevered, and to them is due the great success of two reforms. The first is the firm establishment of the

merit system in the public service under the national government, which has been effected, not by administrators wishing to improve their office, but rather by the enlightened insistence of private citizens, acting on Congress. The second reform, which has had much more aid from men in political life, has restored the lost secret ballot to most of the states.

So aroused are the people by these two great achievements, that any reasonable suggestion of improvement in political methods finds a hearing. Everywhere spring up schemes of minority representation, of election of senators or presidential electors by direct vote, of further limitations on legislatures. The suffrage—the manner of its exercise and its protection—is particularly inviting for such suggestions, since it is everywhere the subject of laws, constitutional or statutory; to improve the suffrage by making it more truly representative, is to rebuild the political structure on a better foundation. One plan, which has been very much discussed since it was suggested by Governor Hill, of New York, in 1889, is that of the so-called "compulsory voting."[1] This remedy seems so easy, its

[1] See the governor's messages for 1889 and 1890; also the report of Judge Hawes to the Republican Club, of New York, in the Daily Continent, March 2, 1891; a pamphlet by Edward M. Shepard, entitled "Compulsory Voting" (1891); an article with the same title by F. W. Holls, in the Annals of the American Academy, April, 1891; and an editorial in The Nation, April 28, 1892.

effect is described as so likely to heal the evils of American politics, that it seems ungracious to cling to the present system. Government in the United States, it is alleged, is a government of the minority: the minority of the voters elect the representatives; and a very small minority of this successful minority designate the candidates. What more natural than to pass a law which will cause the people to resume their control? If a considerable proportion of the voters do not exercise their right of suffrage, why not put a legal pressure upon them, to compel them to take the responsibility on their own shoulders? Then will the American system again become a "government of the people, by the people and for the people."

This suggestion, if analyzed, will be found to rest on three premises: that abstention from voting is a political danger, and a danger which increases; that a government may properly require an expression of opinion from its people; and that compulsion will correct the evils of neglect of voting. Not one of these premises is beyond dispute; they are all matters not so much of theory as of experience and of probability based on experience. A careful examination of the available facts will show that the evil is much less than has been assumed; that suffrage is a thing which ought not to be imposed, under any government; and that the effect of compulsion would be small, and rather against than favorable to good government.

Considering the money that is spent on statistical inquiry and the importance of the subject, it ought to be easy to find out how many persons are entitled to the suffrage in the United States, and then to compare it with the known number of those who vote. The process is, however, much like that of the astronomer who spends most of his time in eliminating causes of error and determining the personal equation of his observers; and some of the results must rest on estimates. The Massachusetts census of 1885 [1] does contain an official statement for that State; the eleventh national census has now furnished an important enumeration of men of voting age, native and foreign, in 1890; [2] and the publications of the earlier United States censuses abound in figures out of which some of the necessary data may be computed or inferred. At the end of this essay will be found a tabulation of facts derived from these sources. Perhaps a study of the effect of conditions and exclusions on the suffrage will furnish the best basis for later arguments.

The most convenient point of comparison is a presidential election; here the votes are larger

[1] Census of Massachusetts, 1885, Population and Social Statistics, I., 103–113; H. G. Wadlin, Citizens and Aliens, reprint from Nineteenth Annual Report of the Massachusetts Bureau of Statistics of Labor, 121–225.

[2] Census Bulletins, No. 175, April 8, 1892; No. 202, August 13, 1892.

than at other times, and it is easier to obtain average results. A particularly serviceable election is that of 1880, which fell in a census year, and thus gives a more exact basis of comparison.[1] The population of the United States in that year was 50,153,783. From this number we must make many successive deductions before we reach the number of qualified voters. First must come out the whole population of the territories and of the District of Columbia. The remainder is 49,371,340. Of this number not quite half must be deducted for the women. In 1880 they had no vote in general elections in any State; nor does Wyoming now add more than 15,000 female voters.[2] The limited suffrage now granted to women in local matters in various forms by twenty-nine States does not affect the figures for presidential elections. Out of the 25,075,619 males in the States, a little less than half, 12,568,891, were twenty-one years of age or more; the minors are of course everywhere excluded. The twelve and a half millions of possible voters constitute a trifle over one-fourth of the population. Next to the age qualification comes that of citizenship. Exact figures are not here attainable, since the census of 1880 does not distinguish Chinese from negroes in

[1] Tenth Census, I., passim.

[2] The population of Wyoming in 1890 was 60,705. Of these, 21,362 were women; and of the women perhaps two-thirds are of voting age.

its tables on this subject; but a close estimate of this irregularity is possible, and can be but a few thousands out of the way.[1] There appear to have been in the States 3,056,000 foreign-born adults in 1880. The remainder, 9,512,891, are born citizens of the United States and are all capable of voting except as hereinafter specified. Of the foreign-born men a very large number are naturalized citizens. Upon this subject we have the results of the Census investigation of 1890, which shows the number naturalized to be 58.6 per cent. of the total number of foreign-born men. The proportions vary from State to State. Wherever the Irish or Germans are numerous, naturalizations are frequent. The minimum is 36.5 per cent. in Vermont; the maximum is 75.9 per cent. in Indiana.[2]

[1] Tenth Census, I., 647. The white foreign-born male adults in the States were 2,984,041; to this should be added an estimate of 71,959 adult Chinamen in the States. The minor Chinese population is not summarized in the table.

[2] Eleventh Census Bulletin, Nos. 175,202. It is impossible to feel entire confidence in these figures. The first question of the enumerator, after ascertaining that a man was foreign-born, was: "Are you naturalized?" The tendency to answer "Yes" to such a question, and the inconvenience of any other answer for a man who had exercised or claimed rights reserved for citizens, both tend to increase the "naturalized" column. On the other hand there is a serious variance between the figures for Massachusetts as shown by a careful State census of 1885 (48.5 per cent.) and the United States figures of 1890, which show only 46.1 per cent. for 1890. The impression in the State has been that naturalization has much increased. Compare Bulletin No. 202, pp. 19, 20, with Wadlin, Citizens and Aliens, 128.

On the other hand several races are indisposed to seek naturalization: the 107,000 Chinese are not permitted to become citizens; the British Americans, English, Italians, French Canadians, and Portuguese naturalize very slowly; probably the same might be said of the Hungarians, Poles, and Bohemians. Nevertheless the Massachusetts proportion is below rather than above the average; although the fact that naturalization is necessary before a man can vote should stimulate naturalization in that State. If the proportion of naturalized foreigners in 1880 was as great as in 1890, we must add 1,787,000 to the list of voters. In addition to this million and three-quarters of persons who, in 1880, had thus shown their attachment to the constitution, there was a body of aliens who, by the laws of the State in which they resided, were entitled to vote because they had filed their declaration of intention to become citizens. A careful estimate puts the number at less than 100,000.[1] The former exclusions because of race no longer prevail, except that Chinese are expressly excluded in Oregon and California; but as Chinamen born in this country are insignificant in number, the exclusions necessitate no additional deduction.

[1] The white foreign-born adults in the fifteen States allowing the practice were 874,834 in number. Of these about 511,000 have been included under the previous allowance for naturalization. The number of declarants in the fifteen States in 1890, was 123,774; in 1880, it may have been 90,000.

As to the three classes of legal voters—native born, naturalized, and declarants—the relative proportions vary much from State to State. None of the eastern coast States admits declarants to the suffrage; but the proportion of foreigners to the whole population is so much greater in these States, and especially in the cities, that the number of foreign voters is often alarming. Only a seventh of the people of the United States are foreign born; but of the men of voting age more than one-fourth are foreigners; and as long ago as 1875, sixty-five per cent. of the adult men in New York City were foreign born. The proportion of men in middle life and above is even more startling. Of five hundred men above thirty-five whom the New Yorker meets while crossing City Hall Park any day, four hundred are certainly foreigners born.

Eleven million three hundred and eighty-nine thousand eight hundred and ninety-one persons were *prima facie* entitled to the suffrage in 1880; but out of this number large deductions must be made for classes of persons disqualified by various State laws. The effect of these exclusions is nowhere summed up, but it may be inferred from the Massachusetts census of 1885, in which some of the items are set down for that State, and from the recent bulletins of the eleventh census. First come disqualifications based on property or natural conditions. There were 4,129 adult males in

Massachusetts in 1885 who were paupers.[1] In many States there is no legal restriction on paupers voting; and the total disfranchisement for this cause cannot exceed 60,000. The actual possession of property is no longer a condition of voting anywhere in the Union.[2] In 1880 it still affected foreign-born persons in Rhode Island, and may have cut off 5,000 votes. A tax qualification stood in the constitutional laws of six States in 1880, and may have prevented 50,000 votes. It now appears only in Delaware and Florida. Throughout the country the tendency is to require no property qualification, not even the ability to support one's self or to live without appeal to public charity.

It is otherwise with the moral and intellectual limitations on the suffrage. Prisoners in their cells cannot enjoy the educating influence of the ballot; and there were at least 60,000 such in 1880.[3] State constitutions usually disqualify persons from voting if they have committed infamous crimes; in practice the restriction has very little effect; an allowance of 15,000 for persons whose votes would be refused from this cause is ample. Then comes the considerable class of insane. The

[1] This number is taken from a calculation made for this essay under direction of Mr. Wadlin.

[2] Except in municipal elections in Providence, Rhode Island.

[3] The number of adult prisoners in Massachusetts in 1885 was 2,950, according to special figures furnished by Mr. Wadlin. Witnesses and others under detention would increase the proportion.

number of adult men in asylums in 1880 was probably not far from 40,000,[1] besides many thousands of defective and weak-minded persons. A much more important mental disqualification unfortunately has not yet been widely applied; illiterate persons were in 1880 excluded only in Massachusetts and Connecticut. The effect was to debar from the suffrage about 35,000 persons.[2] The clause of the new Mississippi constitution, requiring the voter to be able "to read the State constitution, or to give a reasonable interpretation of it when read to him," is likely to be a model for other States, and thus to increase this kind of disfranchisement.

Another legal disqualification is brought very effectively into operation by the constant move ment of population in the United States. In order to vote, a man must have resided in the State for a period varying from three months to two years; and in the district in which he votes a specified number of days or weeks. To say that one voter in a hundred has not acquired a voting residence in the district where he lives is an understatement. An allowance of 110,000 will not cover the number who thus actually lost their vote in 1880.

[1] Eleventh Census, Bulletin No. 62.

[2] Wadlin in his Citizens and Aliens, p. 128, shows in Massachusetts 26,212 "polls, not voters." Of these 22,000 may be estimated as excluded by the education clause.

Making these deductions for unnaturalized foreigners, paupers, criminals, defective persons, and non-residents, we reach a safe approximation to the number of actual legal voters in 1880; it was 11,055,000. Deducting 9,210,920, the total presidential vote of that year, and we have about 1,830,000 voters unaccounted for; these are the stay-at-homes, and they are about one-sixth of all the voters. A recent writer has urged that the abstentions ought not to exceed one-twentieth. A very brief consideration will show that when five-sixths of the voters come to the polls, no compulsory system could much increase the number. There are few churches, clubs, societies, or lodges in the country which have an attendance of five-sixths, even once a year; there is not an army in the field which can put five-sixths of its men in the ranks for a battle. There is not another country in the world which has ever exhibited so large a proportion of actual voters as the United States. Germany is a very intelligent country—a country where the roads are good, changes of residence are infrequent, and political interest is high. In the German election of 1887 the number of votes cast was but 77.5 per cent. of the number of voters, a little more than three-fourths.

Yet the absence of one-sixth is a serious evil if it can be avoided; there are many reasons for it, but want of interest in the elections is one of the smallest of them. Old men have a proverbial dis-

like of showers, cold air, confusion, and fatigue. There were in 1880 about 490,000 men of seventy years and upward, of whom certainly 400,000[1] were voters; the number of those who actually voted is probably balanced by younger men who felt the feebleness of age. Next comes the army of sick. If the disbursements of sick-benefit companies are evidence, men in ordinary health average one week's sickness a year. It is fair to deduct two per cent. of the men between twenty-one and seventy on this ground. Another very large body is made up of those away from home on election day; this class includes travellers for pleasure, commercial travellers, students, many railroad and steamship employees, sailors, and workmen employed at a distance from home. Making due allowance for the non-naturalized persons among them, a deduction of two per cent., or one man in fifty, should be made. A chapter of pure accidents accounts for about one per cent. more: sprained ankles, sudden telegrams, importunate callers, defective registration, forgetfulness. At least one man in a hundred who means in the morning to vote finds that the polls have closed without his vote. The discrepancy between the registration and the vote in States like New York, in which re-registration is necessary every year,

[1] Wadlin, p. 191, shows that in Massachusetts in 1885 there were about 25,000 voters above seventy, out of a population of 1,942,111.

roughly measures the accidents of all kinds: the process of registration is vexatious; the man who undergoes it intends to vote, at least in presidential years; yet the difference is often ten per cent.

Another fundamental error in regard to abstention is the assumption that every voter who wishes to vote has the opportunity. In 1880 the negroes of voting age were 1,400,000; in almost every State in which they were numerous the ratio of votes cast to voters was lower than elsewhere. In Mississippi, having almost exactly the population of New Jersey, and almost no foreigners, the rate was less than half that in the latter State. No one believes that this was the result of indifference. At the same ratio as in the North the number of votes in the South would have been 1,000,000 greater. It is not extravagant to suppose that 560,000 more votes would have been cast if there had been no restraint on the blacks. Where intimidation is not employed directly, as in the South, it is often applied indirectly; nor does even the Australian ballot entirely protect a workman from a conviction that not to vote at all may be the safest form of vote. Indeed, the Australian ballot leads to one of the most dangerous and subtle forms of bribery—that in which a man is paid to withhold a vote he would naturally have given.

An appreciable number of votes is lost through technical objections to their reception. In 1884 a

young lawyer of New York City, on offering his vote, found that by the error of the registration officer he had been registered in the wrong precinct. He spent the rest of the day in securing his right: a considerable portion was passed in ranging the city, collecting evidence; another portion in finding a judge who would issue a *mandamus*. A few minutes before the polls closed he voted; but where he succeeded a hundred men must have failed. The ingenious nine-ballot-box system in the South furnishes an easy mode of shutting out unwelcome votes; and the total vote in New York in 1891 was diminished by rejecting ballots that had a turned quad upon them, or a misprinted endorsement.

The total loss of votes due to old age, illness, absence from home, accident, intimidation, and miscounts may be estimated at about 1,500,000. Deducting this number from the 1,800,000 previously unaccounted for, and we have left about 300,000 voters who might have been expected to vote, but felt no sufficient interest. This is about three per cent. of the voters and a little more than one-half of one per cent. of the population.

The percentage of votes cast for the whole Union is considerably exceeded by that for many of the separate States: thus New York in 1880 reached the then unprecedented figure of 1,104,605 votes — nearly twenty-two per cent. of the whole population, and not far from ninety-four per

cent. of the voters. Could any system of compulsion produce a better result? One of the current axioms of reform in politics is that the people are losing interest in the elections. All propositions, lemmas, and corollaries based on that axiom had better be revised; for the truth is that the proportion of voters has increased pretty steadily for a century, and that the proportion of votes to voters has grown ever since the first spirited election of 1840. Comparison is difficult, because the negroes had practically no share in the elections till 1868; and the influx of foreigners has increased the total population faster than it has increased the voting strength, so that the proportion of possible votes to total population is diminished. In the election of 1880 the vote reached 18.6 per cent. of the population; in 1888 it was about 19.2 per cent.; in 1892 the proportion to the calculated population was about 18.9. In many States there is no stay-at-home vote worth considering.

When we come to State elections the difference is painful; even when simultaneous with the national voting the vote is a little less. When the two do not come together the State vote in New York is about three-fourths as large as the national. The presidential vote of 1888 was cut down by 259,425 in 1891; that is, out of ten voters who were out at the first election, three stayed at home in the second. Municipal elections, if held at a different time from other elections, show

a difference even greater: in New York City, in 1888, the vote was about 18 per cent. of the population; in 1890, a local election chiefly, 11.6 per cent.; in 1891, for governor, 13.2 per cent.; in 1892, for President, about 17 per cent.

There is, however, one encouraging feature of State and local elections; interest in them also has slowly increased. In colonial times the suffrage was so restricted that a vote one-fourth as large as would now be cast by the same population was phenomenal. Thus in Massachusetts, when the long struggle over a new constitution culminated in the popular vote of 1780, there were only about 15,000 votes in a population of 350,000, or scarcely four per cent.[1] In Connecticut, out of 200,000 people in 1775 there were 4,325 votes, a little over two per cent.[2] Comparing the votes in State elections in Massachusetts for forty years, it is evident that there is a steady increase. In 1855 the gubernatorial vote reached what was then a flood tide of 11.9 per cent. of the whole population; in 1890, with more than 130,000 unnaturalized foreigners to be deducted from the possible voters, the proportion of voters to population was 12.8 per cent. Both Minnesota and Pennsylvania

[1] A. H. Bullock, in Proceedings of the American Antiquarian Society, new series, I., 216; Dexter, Estimates of Population, p. 8.

[2] Dexter, Estimates, p. 13; Connecticut Colonial Records, xiv., 4; xv., 413.

in 1890 cast the heaviest proportional vote for governor in their history. In New York and Boston the participation in municipal elections seems rather larger than ten or twenty years ago. Nevertheless there were about 96,000 wilful absentees in New York in 1891, or more than a fourth of the voters, and about 20,000 in Boston. Why are they so neglectful?

One answer is that much more care is taken to get out the vote in presidential campaigns. Efforts are made to arouse enthusiasm once in four years, which it would be impossible to make every year. The simple truth is that the voter is not interested so much in what affects his welfare as in what excites his imagination; he overcomes obstacles and sacrifices convenience and private interest when he thinks the object is of great importance; and he has his own standards of importance. Whenever the voter, while caring for a good president, really cares more for a good mayor and a good governor and a good legislature for the commonwealth, he will vote more readily. It is true that the national election is a simpler affair, and presents fewer complicated issues; that unknown and corrupt men are less likely to be opposed to each other, leaving to the voter but a choice of evils. Nevertheless, when the people see a great principle at stake in a State election, the vote is about as large as in presidential years. Such was the case in Pennsylvania in 1890.

That abstention is a very serious evil, except in presidential years, is not to be denied; that compulsion will remedy the evil is not so clear. The argument against the power of the State to compel the deposit of votes is best summed up in Falstaff's declaration: "If reasons were as plenty as blackberries, I would give no man a reason upon compulsion." Falstaff recognizes the right of the State to restrain and to forbid—"the lion will not touch the true prince"—but objects to *mandamus* government. There are, in the United States, surprisingly few things which a man *must* do. The usual principle of law is negative; if a man fail to observe prescribed legal forms, his action binds nobody. No man is obliged to make his will, however great the advantage to the State from his making it; but if he make it without two witnesses, it is no will. No man need register before an election, but in New York he cannot vote without that preliminary. The most important case of compulsion is the collection of taxes; and the experience of the world is that the more strictly taxes are laid on tangible things and the less they fall on mere paper evidences of possession, the more successful is the tax-gatherer. The State has a right to tax a man simply because he has a poll, and to use compulsory means of collecting such individual taxes; but to require him to use the brain within the poll, is hardly within the scheme of government. Another forced public

duty is military service. Every able-bodied male citizen is liable to militia duty in his State, and liable to be called into the service of the United States in case of war; but, except in one great crisis, the nation has depended chiefly on volunteers; and even the "universal military service" of Germany does not mean that all the able-bodied men in the empire are required to turn out once a year. The acceptance of public office is in some States obligatory, as it very frequently was in the Colonies. As yet, however, no State has accepted the old Greek system of the *Choregos*, compelling a rich man to fill an office requiring large expenditures out of his private means; and few States longer insist on compulsory public service of any kind. We should hardly enjoy a system like that of the old university government of Oxford, in which the unfortunate "regent masters" could be haled into convocation, in order to make a quorum. Service in the *posse comitatus* when called upon is closely akin to militia duty. The nearest parallel to obligatory voting is obligatory jury duty: lawyers know how far the obligation is effective, and how far it secures good juries. Here again, as in military service, the principle is not of universal duty, but of selection from among those liable. Compulsory education would seem at first sight to have a very close resemblance to compulsory voting; but the obligation on the parent in this case is much more akin

to that of clothing and supporting children, which ceases when children become old enough to do their own thinking.

The limitation of enforced services to the brief category enumerated shows the practice of the country. Law, custom, and common sense agree that any requirement shall not extend from acts to opinions. "I can make a nigger work," said a master to Olmsted, "but I can't make him think." The same principle applies still more strongly to free men. Voting is simply an expression of preference. We have in our country the same kind of an interest, though vastly greater in its range, that stockholders have in a corporation. Haphazard votes have less value, because they represent less thought or less conviction. It has become customary to look on the ballot as a sort of talisman, which somehow endows the possessor with wisdom. It does raise a voter if he thinks about his vote; but the education consists in calling out his self-reliance, not in training him to a disagreeable duty. It would be much more reasonable to require all aliens to file a declaration of intention to become citizens on the ground that the purpose must educate them. Compulsory voting seems to rest upon much the same principle as the compulsory attendance of mature young men in a college chapel; they are supposed by constant practice of religious observances to acquire a habit of thinking on religious subjects, which will strengthen

their characters. It does not work that way; nor can you by law compel a man once or twice a year to form an intelligent opinion on public questions. There is too much "mollycoddling" of voters already,—too many attempts to protect them from their own want of reflection. The people of the great cities would govern themselves better if nobody had power to step in to save them from themselves.

Beyond the question whether the danger is serious and the question whether compulsion is desirable, comes the question whether any effective compulsion can be devised. No one suggests that the delinquent voter shall be brought by main force to the polls, like the boys at Dotheboys Hall to their brimstone and treacle. The so-called "compulsory voting" means, of course, only the providing of disagreeable consequences if a man fail to vote. The favorite penalty suggested is a money fine. This is not a new idea: instances in colonial history are not infrequent; the penalty ranged from sixpence to two hundred pounds of tobacco. The records of Southampton, Long Island, contain the following account of a political gathering of the time:

Iune 3, 1654. At a general court. . . .
At the said court there being a great disorder by reason of ye departure of some of the members thereof before the adiournment or dissolution of the saide cort, the major part of the Cort being left,

and troubled at the said disorderly carriage, especially considering that the said departure was before the full consumation of what was then agitated and acted, the said major part left determine ye cort shall be called, and all absent that departed as aforesaid shall pay according to former orders, and that Thomas Halsey shall pay moreover 5s. for his contemptious carriage vnto ye cort at his departure.[1]

A similar vote of the town of Lancaster, Massachusetts, of 1669, reads as follows: "Eurie settled inhabitant atend the publique meeting of the town eurie yeare the first Monday in februarie by 10 of the cloke," on penalty of two shillings. The Maryland statute of 1716 has a stringent rule as follows:

All freeholders, freemen and other persons qualified to give votes in the election of delegates shall and are hereby obliged to be and appear at the time and place appointed for elections to be hereafter had or made of any delegates, burgesses and citizens to serve in any Assembly for this Province, under the penalty of one hundred pounds of tobacco for every person so qualified as aforesaid, neglecting to appear [half to go to the informer in the county court].[2]

[1] Records of Southampton, 102.

[2] Bacon's Laws, 1765 (no paging). For this and the other colonial statutes I am indebted to the unpublished researches of Mr. David E. Spencer on colonial suffrage.

A Plymouth statute of 1660 enjoined voting in the following terms:

Whereas the court hath taken notice that divers of the ffreemen of this corporation doe neither appeer att courts of election nor send theire voates by proxey for the choise of majestrates &c It is enacted by the court and the authoritie therof; that whosoever of the ffreemen of this corporation; that shall not appeer att the court of election att Plymouth in June anually nor send theire voate by proxey according to order of court for the choise of Gou^r^ Assistants Commissioners and Treasurer shalbee fined to the collonies vse the sume of ten shillings for every such default; vnlesse some unavoidable impediments hinder such in theire appeerance.[1]

Massachusetts appeared to expect but did not require voting.[2] The Georgia constitution of 1777 provided that

every person absenting himself from an election, and shall neglect to give in his or their ballots at such election, shall be subject to a penalty not exceeding five pounds; the mode of recovery, and also the appropriation thereof, to be pointed out and directed by act of legislature: *Provided, nevertheless*, that a reasonable excuse shall be admitted.[3]

[1] Plymouth Colony Records, XI., 84, 127, 157.
[2] Massachusetts Colonial Records, I., 166, 185, 277.
[3] Poore's Charters and Constitutions, I., 379.

But the earliest and latest laws on this subject were passed in Virginia. Eight different acts appear. The first was in 1646, as follows:

That what freemen soever, haveing lawful sumons of the time and place for election of Burgesses, that shall not make repaire accordingly, Such person or persons vnles there be lawfull cause for the absenting himselfe shall forfeit 100 lb. of tob'o for his non appearance, * * * * the said fine to be levyed by distresse in case of refusall.[1]

In 1705 it was enacted

that after publication of writs and time and place of election of burgesses as aforesaid, every freeholder, actually resident within the county where the election is to be made, respectively shall appear accordingly, and give his vote at such election, upon penalty of forfeiting two hundred pounds of tobacco to such person or persons as will inform and sue for the same: To be recovered, with costs, in any court of record within their dominion, by information, bill, plaint, or action of debt, wherein no essoin, protection, or wager of law, privilege, or any more than one imparlance will be allowed.[2]

The last acts of the kind appear to be the Virginia statutes of 1785 and 1788. The latter merely applies the principle of the former to elections for

[1] Hening, I., 334. The act of 1662 is similar. *Ibid.*, II., 82.

[2] Hening, III., 238; substantially repeated in 1762 and 1769. *Ibid.*, VII., 521; VIII., 308.

members of Congress.[1] The former provides an elaborate system of compulsion.

Any elector qualified according to this act, failing to attend any annual election of delegates or of a senator, and, if a poll be taken, to give or offer to give his vote, shall pay one-fourth of his portion of all such levies and taxes as shall be assessed and levied in his county the ensuing year: And for discovering such defaulters, the sheriff or other officer taking the poll, shall within ten days after the said election, deliver to the clerk of the county or corporation court, as the case may be, a copy of the poll by him taken, to be kept in his office, who shall suffer any candidate or elector to take a copy thereof, and the said clerk is hereby directed to cause a copy of the same to be delivered to the next grand-jury, to be sworn for the county or corporation, who shall be charged by the presiding magistrate to make presentments of all such persons qualified to vote residing in the said county or corporation, who shall have failed to have given their votes at the said election agreeable to law.[2]

These precedents are of little value to us; with few exceptions, they apply to attendance at a deliberative meeting, where opinions were to be openly expressed and controverted; where a man's argument was as much desired as his vote. The requirement to vote for representatives appears to

[1] Hening, XII., 65.

[2] Hening, XII., 122. *Cf.* Jefferson's report of the Committee of Revision (1784), p. 1.

have been applied only in Plymouth, Maryland, Georgia, and Virginia. The number of persons affected was very small. The most crowded town meeting ever held in Boston before the Revolution was that which assembled in 1734 to consider Peter Faneuil's offer of a market-house; the votes cast were 916, out of a population of 15,000;[1] in 1888 the vote of the Seventeenth Ward in Boston, having a population of 15,000, was nearly 3,000. Yet the experience of the colonies in compelling their few voters, does not seem so happy as to encourage the application of the system to our more difficult conditions. All these restrictions have long been abandoned. A money fine is not the most successful means of holding the community up to its duties; people get into a reckless feeling that it is right to do the thing prohibited, if one stands ready to pay the fine. The Beekman, Chilton, Massachusetts,[2] and Hawes bills seek to remedy lack of interest in voting by a system which must fail for lack of interest in prosecutions. It is idle to expect that the community which will not vote will punish men for not voting. The system of fines works well when applied to minor but positive offences; even the Lombards, who carried out the principle to many fanciful details, kept fines for deeds of commission. If a man maimed

[1] Boston Town records.

[2] The text of these three is given by Holls, 41–43.

another, he paid "for the little finger iv solidi; for the middle finger ii solidi; for the thumb viii solidi"; there was no fine for failing to shout and clash the shield at the election of a king. The state has a right to require of the citizen any service necessary to national preservation; but the state is equally bound not to turn the individual into a machine.

A second and very ingenious penalty has been put into operation in Illinois. The names of persons who fail to vote are put on the jury lists. Apparently nothing could be more automatic and effective. The man who shirks the unpleasant duty of spending an hour in casting his ballot before a public officer, may spend six weeks in deciding whether that officer does his duty. However disagreeable this might be for the voter, it is unfortunately even more disagreeable for litigants and counsel. The system involves the deliberate selection of men who neglect one duty, to perform a more important duty. It obliges men who are too feeble and sick to vote to show cause why they should not inhabit a jury room. Furthermore, it furnishes an easy path for those who prefer jury duty to more serious tasks. A professional "heeler" has his disadvantages; but a professional juryman is a worse evil. Possibly it might be a suitable punishment for a man who refused to accept jury duty, to make him vote a straight ticket at the next election; but jury duty is not a suit-

able reward or a suitable punishment for the delinquent voter.

A third suggestion for sharpening the conscience of the voter adopts the principle of the Mosaic law: "The soul that sinneth, it shall die." The voter who once omits to vote shall not be allowed to vote thereafter, until he shall have purged himself by paying a fine. The proposition has been ably set forth by Mr. Holls, who supports it with great ingenuity of argument. It is undoubtedly a better system than that of fines or jury duty; it attaches a disagreeable, and perhaps a permanent stigma to the neglect. But as a means of getting out a larger proportion of the voters, or increasing interest in public affairs, its efficacy may be doubted. Perhaps the best way to discuss it will be to analyze the reasons for the stay-at-home vote, and to see how far each class of delinquents would be diminished by the measure.

Bad weather keeps many thousands of voters at home; compulsory voting would amerce or disqualify thousands of men who are kept away by bad roads, or by the rising of the Southern streams, along the beds of which highways are often constructed. The voter who has a cold, or who justly fears a cold, or whose wife justly or unjustly fears it, will be debarred. It is doubtful whether fear of disfranchisement or fine would greatly diminish any of the bad-weather classes.

Another group is made up of those who will not

mix in "dirty politics"; who think all parties "packs of scoundrels," and who wish to be left to their comfortable private life. These men are the stock illustrations of what may be called the Sunday-school literature of the subject—the awful examples held up to the young man who intends to go fishing on election day. That such persons constitute one in a hundred of the voters is hard to believe. They certainly cannot exceed three in a hundred, since that is the total number of wilful abstainers in Presidential elections. If disfranchised for not voting, how many additional votes will be got, and how many dollars for the public treasury?

Much larger numbers neglect to vote because they know their party to be in a hopeless minority, and that their votes can make no possible difference. One would expect to find many thousands of such men in the absolutely sure States, such as Texas and Vermont, the vote of which has for many years not been in doubt. The Democratic majority in Texas is over 100,000; but the minority keeps up a State organization; and the vote of the State is little smaller in proportion to the population than that of Virginia. All the Southern States have a small proportional vote; the congressional vote of Tennessee is about half of that Iowa, which has about an equal population and similar industries. In Vermont, which has never gone anything but Republican since there

was a Republican party, the majority takes pride in displaying its own size. The stay-at-homes are about as numerous in close as in sure States, particularly if the opinion gets abroad that one party is reasonably sure to win. Since party managers aim to "poll the full strength of the party" they would probably favor some measure of compulsion. Here comes in one of the serious dangers of the disfranchisement-fine system. The absolutely indifferent voter will lose the vote which he never uses; the careless but honest voter will lose the vote which he would have used sometimes; and the careless and dishonest voter will have his fines paid for him, and he will vote, and he will vote "straight." Massachusetts found the state of things so demoralizing that in 1891 the poll-tax requirement was struck out of the constitution: a State which adopts the proposed system will eventually abandon it for a similar reason.

One large class of abstainers would probably be reduced by such a law; it is the men who are public-spirited and who know that they ought to vote, but who are too busy, and who think that their duty will be performed by some one else. If such men voted without much regard for party when they did go to the polls, they might frequently change elections; in fact, however, their number would probably only swell the total vote on both sides without much altering results.

In the few States in which registration is re-

newed by the voter every year, men sometimes abstain from registering to escape jury duty; for the jury lists are often made up from the register. This number is said to be considerable in New York City. Fines, if applied, might perhaps bring out their vote; a different system of selecting candidates might have the same result.

Next comes the class, unhappily too large, of those who neither know nor care anything about the election, the candidates, or the result, but who do care to sell their votes. The hope of the reformers seems to be that such men will get so deeply in arrears of fines that they will disappear out of politics from sheer inability to pay their way back to the suffrage. Is it likely that a man who looks on his vote as a piece of personal property will forfeit it by neglect? Or if he does, is it likely that where there is money to pay for his vote there may not also be money to pay his fines? The black spectre which affects all questions of politics in the South comes in here also. Nobody who understands the condition of the negro can wish that he be incited to vote where he voluntarily refrains. But the negro usually votes if he can; to prevent him from voting and then to disfranchise him because he does not vote, is not likely to improve the relations of the races. The proposed scheme must have the effect, North and South, of putting a pressure to vote upon the most ignorant and debased.

This brings us to the last and most important class of absentees, those who deliberately withhold their votes because they think that they can exert more influence on public affairs in that way than by casting them. The great evil of the whole suffrage system is not that votes are few, but that they are unconsidered. If a commission went from house to house to get votes, so that there were no trouble to the voters, nineteen men out of every twenty would vote their usual party ticket. Any unusual defection of voters means a deliberate lesson to party managers. A similar lesson might be taught by voting for some third-party candidate, or by voting for a good candidate on the other ticket. As a matter of fact, there is not in the United States one voter in fifty who will do either under any circumstances. Neither party feels more confidence in the nominating apparatus of the other side than in its own. American voters rarely pass from one party to another; they depend on the silent but effectual protest of leaving their party in the lurch. The absentee vote of the opposite party permitted the election of Governor Cleveland in New York in 1882, and of Governor Pattison in Pennsylvania in 1890, and gave the Democrats a majority in the Congressional election of 1890. To compel men to vote against their will is to tighten the control of party managers. The defect of the compulsory system, as of many proposed reforms which are expected

to restore the Eden period of politics, is that it does not go to the root of the matter. It will be noticed in Table I. that the percentage of votes to voters is about four and a half per cent. less in 1892 than in 1800. Comparison with the votes of 1884 and 1888 suggests no steady deterioration; it is probable that many voters abstained because they were willing to vote neither their usual ticket nor for the opposite party.

Honest voters are indifferent or refuse to vote because they feel their impotence to affect their own party management; yet they support their party management because experience shows that the men who fight it must make great exertions and sacrifices, or be set out of politics; and further because permanent political results can be brought about only through strong and persisting parties. Compulsory voting supplies no new motives, and would not alter those political habits of the American people which are the real evil. Compulsory voting cannot create interest in local affairs, or break up the practice of adhesion to unfit leaders.

Is there not already a sufficient remedy for the stay-at-home vote? The man who is absent from elections is still a voter, a resident, a man: he has important interests. If appeals to patriotism, love of order and decency be not sufficient, let the voter suffer in the manner suggested by the quaint resolution of Lancaster, Massachusetts, in 1669. In addition to a nominal fine the neglectful voters

were to lose "their voate in such transactions of the town, that may be acted by the town in their absence." Amplifying the principle of self-interest, the true remedy may be formulated thus:

A BILL

to provide a suitable punishment for the failure to vote.

Be it enacted, *etc.*

Section 1. On and after the passage of this act, it shall be the duty of every person duly qualified, to vote at every election, national, state or municipal.

Section 2. If any person shall neglect the said duty he shall be disqualified from voting at the election at which the neglect occurred, and no longer.

Section 3. Any qualified voter who fails to vote at any lawful election shall nevertheless be bound by the result of said election as though he had participated therein; and all persons chosen to office at such election shall exercise the duties of their office as though he had voted; and all statutes passed by persons so elected, acting as a lawful legislature, shall be binding upon him.

If it be objected that this is simply a statement of the present practice, the writer makes no reply.

TABLE I.—LEGAL VOTERS COMPARED

	Massachusetts.			New	
	Boston. 1885.	State. 1885.	State. 1890.	City. 1880.	State. 1880.
Total population	390,393	1,942,111	2,238,943	1,206,209	5,082,871
Males above 21	117,713	572,726	665,009	336,137	1,408,751
Per cent. to total population	29.9	29.5	29.7	27.9	29.7
Native born	66,761	366,499	407,915	.....	872,153
Foreign born	50,556	206,227	257,094	.....	536,598
Per cent. of foreign born to total adult males	43.4	36.0	38.6	.....	38.1
Foreigners naturalized	28,841	98,730	112,504	.....	*325,700
Foreigners not naturalized	21,715	117,096	144,590	.....	*210,898
Per cent. of foreign naturalized to foreign born	57.0	48.5	43.3	.....	*60.7
Total "votables" (having age and sex).	117,713	572,726	665,009	336,137	1,408,751
Native men	66,761	366,499	407,915	.....	872,153
Native women in Wyoming	.....	.....	.....	.....	.....
Naturalized foreigners	28,841	98,730	112,504	.....	*325,700
Foreigners declarants and voters	?	8,366	6,541	.....	.....
Foreigners not voters	21,715	99,131	139,049	.....	.....
Total normal voters	95,602	465,299	520,319	.....	*1,197,853
Exclusions	17,780	84,175	.....	.....	.....
Paupers (not polled)	469	4,767	.....	.....	5,894
Prisoners	1,246	2,950	.....	1,248	6,639
Criminals	500	1,000	.....	.....	.....
Insane	268	1,246	.....	1,708	8,230
Residence not secured (1 per cent.).	*9,000	*45,000	.....	.....	*11,978
Taxes not paid	1,000	1,000	.....	.....	.....
Illiterate (or "not voters")	5,297	26,212	.....	.....	.....
Total legal voters	77,822	381,124	.....	.....	*1,165,000
Per cent. to population of States	19.9	19.6	.....	.....	.....
Per cent. to adult males	66.6	66.5	.....	.....	.....
Total votes	44,714	209,668	285,520	205,376	1,104,605
Per cent. to population	11.4	10.9	12.7	17.0	21.7
Per cent. to legal voters	57.5	55.0	.....	.....	*94.0

WITH THE POPULATION.

York.	New England.		United States.		The States.	
State. 1890.	1880.	1890.	1880.	1890.	1880.	1890.
5,997,853	4,010,527	4,700,795	50,153,783	62,622,250	49,371,340	61,908,906
1,769,649	1,144,919	1,410,191	12,830,349	16,940,311	12,568,891	16,733,527
29.5	25.6	30.0	25.6	27.0	25.5	27.0
1,084,187	835,979	958,381	9,757,862	12,591,852	*9,512,891	12,437,282
685,462	308,940	451,903	3,072,487	4,438,459	*3,056,000	4,296,245
38.7	26.9	31.2	23.9	25.6	23.8	25.6
416,362	.....	197,341	*1,690,000	2,546,037	*1,787,000	2,518,107
271,100	.....	254,562	*1,382,487	1,802,422	*1,263,000	1,778,138
60.7	.....	43.7	*55.0	58.5	*58.0	58.6
1,769,649	1,144,919	1,410,191	12,830,349	16,940,311	12,568,891	16,733,527
1,084,187	.....	958,381	9,757,862	12,591,852	9,512,891	12,437,282
.....	.....	.....	.....	.....	.....	*15,000
416,362	.....	197,341	*1,690,000	2,546,037	*1,787,000	2,518,107
.....	.....	11,935	*95,000	236,069	*90,000	123,774
271,100	.....	242,627	.....	1,566,353	1,263,000	1,544,398
1,500,549	.....	1,155,722	*14,876,852	15,373,938	*11,390,000	*15,094,163
... ...	.....	.....	.....	.....	*335,000	*420,000
.....	4,028	.....	.....	.....	* 55,000	*75,000
.....	4,251	.....	22,441	.....	*60,000	*75,000
.....	.....	.....	.....	.....	*15,000	*20,000
.....	.....	.....	47,730	.....	*40,000	*50,000
.....	.....	.....	.....	.....	*110,000	*150,000
.....	.....	.....	.....	.....	*30,000	*10,000
.....	.....	.....	.....	.....	*25,000	*40,000
.....	.....	.....	.....	.....	11,055,000	*14,675,000
.....	.....	.....	.....	.....	22.4	23.7
.....	.....	.....	.....	.....	87.9	87.7
[1892.]				[1892.]		[1892.]
1,336,493	739,918	717,225	9,218,550	12,179,369	9,210,970	12,081,316
22.0	18.4	15.2	18.4	19.4	18.6	18.9
90.0	.....	.....	.....	.....	83.3	78.8

TABLE II.—POPULAR VOTE FOR PRESIDENT

	Population.	
	The Union.	States.
1824	.....	.....
1828	.....	.....
1830 (census year)	12,866,020	12,820,868
1832	.....	.....
1836	.....	.....
1840 (census year)	17,069,453	17,019,641
1844	.....	.....
1848	.....	.....
1850 (census year)	23,191,876	23,067,262
1852	.....	.....
1856	.....	.....
1860 (census year)	31,443,321	31,183,744
1864	.....	.....
1868	.....	.....
1870 [corrected] (census year)	38,558,371	38,115,641
1872	.....	.....
1876	.....	.....
1880 (census year)	50,155,783	49,371,340
1884	.....	.....
1888	.....	.....
1890 (census year)	62,622,250	61,908,906
1892	.....	.....

NOTE.—Asterisks denote estimates. In Table I the figures have been verified, and in part compiled, by Mr. Theodore C. Smith. In Table II the figures from 1870 to 1876 are corrected according to the Eleventh Census Bulletin, No. 16, p. 3. The

COMPARED WITH THE POPULATION. (1824–1892.)

Voting States excluding negroes to 1868.	Voters. Males of voting race above 21 in States.	Voters. Normal Voters (half foreigners included to 1870).	Votes. Number of Votes.	Votes. Per cent. of Population.	Votes. Per cent. of Legal Voters.	
.....	.....	.....	352,062	.....	.....	1824
.....	.....	.....	1,156,328	.....	.....	1828
10,633,323	2,329,728	2,262,685	.....	.....	.....	1830
.....	.....	.....	1,250,799	.....	.....	1832
.....	.....	.....	1,498,205	.....	.....	1836
14,317,850	3,278,385	3,038,288	2,410,778	16.9	78.0	1840
.....	.....	.....	2,698,611	.....	.....	1844
.....	.....	.....	2,871,908	.....	.....	1848
19,517,940	4,684,883	4,313,044	.....	.....	.....	1850
.....	*5,222,314	.....	3,144,201	.....	.....	1852
.....	.....	.....	4,052,967	.....	.....	1856
25,965,833	6,870,152	5,629,310	4,676,853	17.0	80.0	1860
*24,250,000	.....	.....	4,166,537	17.2	.....	1864
*34,282,350	.....	.....	5,724,684	16.7	.....	1868
.....	9,298,047	7,627,878	.....	.....	.....	1870
*41,312,000	.....	.....	6,466,165	15.4	.....	1872
*44,179,000	.....	.....	8,412,733	19.0	.....	1876
49,371,340	12,571,445	*11,340,000	9,210,395	18.6	81.2	1880
*53,664,032	.....	.....	10,056,347	18.7	.....	1884
*59,300,000	.....	.....	11,387,029	19.2	.....	1888
61,908,906	16,733,527	14,675,000	.....	... ..	.....	1890
*64,000,000	.....	*15,320,000	12,081,316	18.9	*78.8	1892

*estimates of "legal voters" for 1850 and 1852 are from the Compendium of the Seventh Census, Introduction; the other years are calculated by Mr. Smith. The "legal voters" in 1890 is an exact total calculated from the Census.

III.

THE ELECTION OF A PRESIDENT.

On November 8, 1892, the voters of the United States were called upon to indicate their choice for President. It may, therefore, be interesting to consider the manner in which such contests are carried on, and the questions which have arisen in previous presidential elections.

The "campaign," as the electoral struggle is popularly called, begins when the candidates are nominated, but the preliminaries go back to about a year before the election. In the early part of the century, nominations were often made two or even three years before the election; but since the adoption of the great nominating conventions in 1832 it is usual not to decide upon the candidates until May or June of the electoral year. In only three cases has there been an uncontested election—Washington, chosen in 1788–89 and 1792; and Monroe's second election in 1820. The incumbent of the office, if in his first term, almost always hopes for a renomination. Of the twenty-three persons elected as President, four died in

office, seven were re-elected, four were defeated for a second term, and four only, Polk, Pierce, Buchanan, and Hayes, did not receive the renomination of their own party. It is noteworthy that not one of the four Presidents who came into office from the Vice-Presidency through the death of the President received a renomination.

The machinery by which candidates are put forward has now become well established. The voters of each party are supposed by a system of indirect elections to choose delegates to the National Convention. In fact, the number of voters who participate in this primary process is always small, and in many places is not a tenth of the party strength. Still, the National Conventions are bodies of delegates twice as large as the Senate and House of Representatives put together; counting now 808, they are too large to be controlled by a few politicians, and both the great party conventions in 1892 nominated candidates much more acceptable to the rank and file of their respective parties than to the political leaders.

With the candidates each party puts out a platform of its principles. By long-established usage it is customary on questions upon which the party itself is divided to introduce a "straddle"—that is, a statement which will bear one construction in one part of the country and another in another. Nevertheless, there have been some cases of very bold and outspoken "planks" in party platforms.

Thus in 1856 the Republican party in its first convention denounced "those twin relics of barbarism —polygamy and slavery," and in 1892 the Democratic Convention declared that "we denounce Republican protection as a fraud."

The engine of the "campaign" for each party is a "National Committee," composed of one member from each State; it is the duty of this committee to adopt a plan of campaign; to organize political meetings, and to circulate political literature; and to raise and to disburse the necessary funds. The chairman of the committee has very large responsibility, and one of his duties is to prevent the candidate from writing entangling letters or making damaging speeches. It is customary for the candidate to efface himself during the campaign; the most notable exceptions have been the public speeches of William Henry Harrison in 1840, and of James G. Blaine, in 1884, both of which provoked serious comment. The candidate, however, may make a speech on accepting his nomination, and is expected to write an elaborate letter of acceptance, which is considered the key-note of the campaign. Mr. Cleveland made several public speeches during the canvass of 1892.

Money is liberally used for three main purposes. The first is the education of the voter by circulating political documents and by holding political meetings. A new device introduced into the last campaign will save large sums of money to the

campaign committees: members of Congress are by custom allowed to print extracts as part of their speeches; and both Democratic and Republican members in the previous session managed thus to introduce whole books, section by section. Thus Henry George's "Progress and Poverty" is spread at large on the records of Congressional debates. The speeches containing these extracts are circulated under the frank of the Congressman who made them. The second use of money is to keep up a semi-military organization in both parties, the chief object of which is to appear a few times during the campaign in torch-light processions. This custom sprang up in 1860. The only persons who have a personal interest in the drill and in the cheap gaudy uniforms are half-grown boys, not yet voters—but neither party has felt safe in omitting this means of impressing the imagination of the voters. In the campaign of 1892 this system was noticeably little used. The third use of money is for the purchase of votes outright. Although made more difficult by the new ballot reform laws in most of the States, it is still practised openly and unblushingly. For reasons which will appear later, the money is spent most liberally in large States having a very close vote.

Who are the voters whose suffrages are thus desired and beguiled? Under the Constitution "each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Elec-

tors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." It therefore follows that a President might be elected without any voter directly taking part. In early days many of the State Legislatures appointed the electors themselves without further reference to their constituents. By common consent this privilege has been given up; it not infrequently happened that the Legislature which thus cast the vote no longer represented the people of the State. Another method which had more to recommend it was for the Legislature to divide the State into districts, each of which might choose an elector. Between 1832 and 1892 no instance occurred in which this device was used. In 1890, however, a Democratic Legislature was chosen in Michigan; foreseeing that the majority in the State as a whole would be Republican, they passed a law reviving this obsolete system for that State. The device was successful, and the electoral vote of Michigan was divided in 1892. So much popular prejudice was aroused by the act that a test case was made up and brought before the United States courts, urging that it was unconstitutional; but it was decided that the Legislature had acted within its powers. The almost universal method is for the Legislature to direct that each voter may cast his ballot for as many electors as the State is entitled to choose. This so-called "general ticket system"

is, of course, the French *scrutin de liste*. This method has serious and disagreeable consequences: a very small preponderance in a State having a large number of voters may decide and usually does decide, the whole contest. In the three elections of 1880, 1884, and 1888 the vote of New York was necessary to the winning candidate; and the majorities in that State were respectively 21,000, 1,150, and 14,000. Hence in large and thickly populated States, particularly New York and Indiana, most strenuous and often very corrupt efforts are made to secure the largest vote possible on each side. A further result is that Presidents are not infrequently elected who have much less than a popular majority. Many remedies have been proposed: the most ingenious is that in each State the total electoral vote should be divided *pro rata* among the various parties in proportion to their total popular vote. This would give great encouragement to minorities throughout the Union, but would take away the great power now vested in a few voters in large States. As no general change can be made except by a constitutional amendment, there is no immediate hope of this reform.

Who are the voters who cast their ballots in November, 1892? Here comes in one of the anomalies of the American Constitution. The Legislatures may make such persons voters as they please. They have chosen, with a few unimpor-

tant exceptions, to bestow the suffrage upon every native man more than twenty-one years of age, convicts, criminals, insane, and defective persons alone excluded. In only one State in the Union is there any longer a property qualification; tax qualifications have disappeared except in two States. Three States only, Massachusetts, Connecticut, and Mississippi, disfranchise persons who are not able to read and write, and in the last of these States the provision is liberally interpreted so as to exclude blacks and admit whites. Three additions to the usual category of voters must be noticed. In one State, Wyoming, the least important in the Union, women are admitted to the suffrage. In all the States naturalized aliens more than twenty-one years of age vote on equal terms with natives: of 4,300,000 such persons 2,500,000 are naturalized. The third addition is made in many States by their admitting to the suffrage persons who have declared their intention of becoming citizens. The total number of voters in 1892 was about 14,675,000; the total vote reached 12,081,306. The statistics show in general a slow increase in the number of votes cast in proportion to the population—that is, in interest in Presidential elections. The election of 1892 is an exception; the vote is smaller in proportion than twelve years ago, probably a result of deliberate refusal on the part of many voters to vote their usual party ticket. Of the voters who do not appear at the polls, more than two-thirds

can be accounted for by various accidents: loss of legal residence is very frequent in a country where there is so much shifting about. The percentage of voters to population is larger than in Germany, a country with compact population, good roads, and great interest in political matters.

The details of the election are commonly left to State legislation, although Congress has constitutional power to make such regulations as it chooses. It has passed only one statute on the subject, making it possible to appoint Federal supervisors of elections in the great cities. The popular impression of that act is that it was intended to give the Republicans some control over the elections in the Democratic city of New York. In 1890 the so-called "Force Bill," a general Act providing for Federal control of elections throughout the United States, came very near passing through Congress. It was defeated only by a singular political combination: certain Democratic members and senators agreed to vote for free silver coinage, if Republican senators would vote against the election bill. The bill has been vigorously attacked, and is now apparently dropped by the Republican party, which made itself responsible for it.

The only national rule for elections is that they shall all be held on the same day. Since 1845 that day has been the Tuesday after the first Monday in November. For many years some of the

States continued to hold separate elections for State officers in October. The results were likely to have great influence on the national elections a month later, and hence desperate attempts were made by both parties to carry these States, and large sums of money were used in the purchase of votes. Ohio and Indiana were the States most affected by this system. Almost every State now holds its State election on the same day as the national election. The saving in time and expense is very considerable, but the coincidence of the two systems makes it possible to enter into so-called "deals," "trades," or "combinations." Thus it was popularly believed in New York in 1888 that some ten or fifteen thousand Republican voters agreed to cast their ballots for the Democratic candidate for Governor if an equal number of Democratic votes were cast for the Republican candidate for Presidential electors; and that the election of David B. Hill as Governor and of Benjamin Harrison as President was thus accomplished. In only one State in the Union is an absolute majority required; the ticket for Presidential electors receiving the largest total of votes is held to be chosen. Hence second elections are not necessary, and on the morning after election day the result is almost always ascertained.

The electors always live in the State from which they are chosen, and it is customary to put on the

ticket one man from each congressional district. Vacancies frequently occur by the death of electors between the time of their choice and the time of meeting; the question then arises whether in such a case the candidate having the number of votes next to that of the lowest elector on the successful ticket shall be considered elected. As this means a transfer of the vote from one political party to the other the principle has been strenuously resisted, and it is the practice for some State authority to fill the vacancy. In the hotly contested election of 1876 one vacancy was filled, without any distinct statute, by the other electors on the ticket.

It was originally intended that the choice of electors should be simply a preliminary, and that they should exercise their unbiassed judgment in the selection of a President. Under ordinary circumstances, however, the electors are simply a registering machine. The body of electors in each State constitutes an "electoral college," and each such body holds a meeting on the first Wednesday of January for the purpose of casting ballots. Absentees are almost unknown; although in 1800 a Maryland elector failed to attend. Until 1804 each elector cast two ballots without distinguishing between his candidate for the Presidency and his candidate for the Vice-Presidency. This led to the celebrated deadlock of 1801, when Jefferson and Burr each received one vote from

each of the Republican electors, and there was a tie. Under the system which has obtained since 1804, each elector casts one vote for President and one vote for Vice-President. The results of the ballot in each college are then declared, and the returns are sealed up and despatched to the authorities of the United States in Washington. The office of messenger to carry the ballots, especially from the distant States, is much esteemed, since it gives an opportunity for a pleasure trip at the expense of the Government.

In order to make their votes of any effect, the electors must observe the constitutional qualifications of the President. He must be a natural born citizen of the United States. At the time the Constitution was framed there was an exception in favor of persons already naturalized in the United States; this clause is supposed to have been inserted so as to make Alexander Hamilton, who was born in Nevis, eligible for the Presidency. The only question which has ever arisen out of this clause was a query as to whether President Arthur was not born just over the Vermont boundary in Canada. The President must be thirty-five years old. He must have been fourteen years a resident of the United States; foreign diplomatic service is technically included in such a residence. The Vice-President must have the same qualifications. There is no constitutional reason why both President and Vice-President

should not reside in the same State, although it is customary to choose them from widely separated sections.

The whole question of qualification is rather one for conventions than for electoral colleges, since the electors vote for persons previously designated by nominating conventions. In 1876, when the election turned upon a single vote, and there was great confusion, it was suggested that an elector should vote for some neutral candidate, and thus bring about a tie which must be settled by the House of Representatives. Not one of the 183 Republican electors paid heed to this suggestion. Some attempt was made at that time to buy an elector's vote; but in order to receive the bribe the elector must change in the face of the whole country, and there is not the slightest danger that such an attempt could be successful.

Electors have, however, been obliged to exercise their own judgment, owing to the death of the candidate for President or Vice-President between the time of the election and the assembling of the colleges. The most noted instance was that of 1872: sixty-six Democratic electors were chosen, pledged to vote for Horace Greeley for President and for B. Gratz Brown for Vice-President. Greeley died; the electors were already in a small minority, and finally forty-two of them voted for a prominent living Democrat, eighteen for Brown for President, and three soberly cast their ballots

for Horace Greeley, or his shade. Should a candidate die who had a majority of electors in his favor there is no precedent to decide what shall be done. Either his supporters in the electoral colleges would choose as President the person designated for the Vice-Presidency, or, as is much more likely, a new national convention of the party would be assembled and nominate a candidate; and in such a case the nomination would undoubtedly be followed by the electors.

On the first Wednesday in February the House and Senate assemble together to count the electoral vote. The framers of the Constitution appear to have had in mind the simple arithmetical process of adding the results forwarded from the electoral colleges; but if, as has frequently happened, there are two sets of returns from the same State, or the validity of the single return is disputed, there must be some tribunal to decide which is to be counted. The framers of the Constitution appear to have overlooked this possible difficulty. On that decision in 1876 depended the result of the election. In 1865 a joint rule was adopted by which, in case objection was made to any vote, it could be counted only by agreement of both Houses. At that time the Senate and House were both strongly Republican, and in 1873 the votes of two States were rejected in this manner. When, after the election of 1876, in which Tilden and Hayes were the rival candidates, it

was seen that disputed returns were certain to come in, the House was Democratic, and the Senate refused to continue the rule. In every instance the House set up such a construction of the law as was likely to bring in a Democratic return; and the Senate attempted in every disputed case to bring in a Republican return: there was an absolute deadlock, and threats of civil war. The difficulty was overcome by an extra-judicial "Electoral Commission," the result of whose decision the Senate and House had both agreed to accept.

An Act of 1887 has attempted to prevent the recurrence of such difficulties. Wherever a State has erected a tribunal with power to decide in cases of disputed returns, the finding of that tribunal is to be accepted by Congress. If there is no such tribunal the vote of the State may be thrown out altogether, unless both Houses concur in receiving it.

Three times the count of electoral votes has shown no choice. Under the Constitution the successful candidate must have a majority of all the votes. In 1800 Jefferson and Burr had each seventy-three; and, as is required in such cases, the election then was made by the House of Representatives, the members from each State casting one vote conjointly. At that time the House was Federalist, and both the persons eligible were Republicans. Since the Federalists must select from

adversaries, at first they aimed to choose Burr, who had been intended by his own party for the Vice-Presidency. Excitement ran very high, till the Federalists yielded and permitted the election of Jefferson. In 1825 the House was called upon to select the President from the three candidates, Jackson, John Quincy Adams, and Crawford; and they chose Adams, although he had fewer electoral votes, and fewer popular votes, than Jackson. In 1836 there was no choice for Vice-President, and the Senate chose R. M. Johnson.

What was the purpose and the effect of this indirect vote? It arose out of an unwillingness to submit either to the people direct or to Congress the choice of so important an officer. It was thought that the indirect system would concentrate attention on personal character and would prevent the election of mere popular heroes. There was a very just distrust of permitting Congress to serve as the electoral body; it was felt that candidates would intrigue, would make pledges in advance, and thus that Congress would be more likely to make the Executive its instrument. It must be remembered that the President, once chosen, is, under the Constitution, quite free from any direct interference by Congress; his position was, therefore, intentionally made different from that of the English Prime Minister. To leave his choice to Congress would have enabled it to put a man in power whom for four years

it could not reach, and the natural tendency of that system must have been to bring forward weak Presidents rather than strong. The system of choice by the Legislature has been very successful in Switzerland, but the present condition of the President in the French Republic shows what might have been reasonably apprehended in America.

A general popular vote, a *plébiscite*, was not thought of when the Constitution was framed in 1789; there never had been any general national elections; and it was plain that under such a system a few populous States agreeing together could out-weigh the rest of the Union. The indirect system was therefore chosen, as retaining the element of popular government, and at the same time preserving the influence of the small States.

Many suggestions have been made that a general popular election be substituted for the present system. The "reform" would bring very serious difficulties. In case of very close votes like that of 1880, when there was a popular majority of 15,000 out of a vote of more than 9,000,000, it might take many weeks to ascertain the precise vote of each party, and thus to declare the election. The States in which one party is decidedly in the ascendant would offer great opportunities for fraud, since there is no large and well-organized minority to detect it. Furthermore, of late years it is unusual for any candidate to have a majority of all

the popular votes, owing to the appearance of third party candidates.

The main reason for establishing the indirect system was to assure the small States that a President should not be forced upon them; but the unexpected and irregular growth of the Union has caused some curious anomalies. Thus, New York has a population of more than 6,000,000, and chooses thirty-six electors, an average of one for every 168,000 persons. Nevada has a population of about 45,000, and chooses three electors, an average of about 15,000 persons to each elector. It is quite possible for a President to be chosen who has less than a majority of the votes. Zachary Taylor, in 1848, was in a minority of 140,000. James Buchanan, in 1856, General Garfield, in 1880, Grover Cleveland, in 1884 and in 1892, and Benjamin Harrison, in 1888, each had less than half the votes cast. Hayes was made President in 1877, though he had 250,000 less votes than Tilden; and in 1860 President Lincoln received a majority of the electoral votes, though he had but 1,800,000 votes against 2,800,000 cast for three other candidates conjointly. Popular majorities are sometimes overwhelming, as when General Grant had 700,000 more than Horace Greeley in 1872; they are often very small. In 1844 Polk had but 38,000. Since 1872 the aggregate vote of the two great parties has been very close. It is evident that sons as they come to their maturity

usually vote as their fathers have voted. The Democratic success in the Congressional election of 1890, and apparently also in the Presidential election of 1892, was due not to the conversion of voters from one party to another, but to the fact that many thousands of Republican electors stayed away in thickly populated electoral districts.

Intimidation and fraud have played a great part in Presidential elections. In 1874 the Democrats regained possession of the State governments in the South, and of the House of Representatives in Congress, by preventing the blacks from voting; and six or seven hundred thousand negro voters stayed away from the polls in 1892. The only Presidential elections into which ballot stuffing and fraudulent counting of votes have seriously entered are those of 1844 and 1876. The Democrats of 1844 carried Louisiana for Polk by increasing their vote in one parish from 310 to 1,007. These votes were cast by a crowd of men on a steamer, who moved from polling place to polling place, depositing their ballots in each.

The complicated electoral machinery takes more account of the State vote than of the popular vote. Usually every State holds its electoral college, but in the very first election of 1788 New York, owing to a quarrel in the Legislature, cast no votes at all. Several times States have attempted to vote before they were fairly admitted to the Union. This was the case with Missouri,

which was not finally admitted until after the election of 1820, but succeeded in getting her vote counted in that election. In 1864 eleven States had no representation in the electoral college because they were engaged in civil war against the Government; and as late as 1872 two of those States were still not allowed to vote. There is a strong feeling of civic pride in casting the vote of a State as a unit, hence the deep-seated popular objection to the choice of electors by districts. The effect of this unit vote is seen by the fact that in nine Presidential elections the person elected could not have been chosen without the vote of New York. It is in this way that the voters of the great States gain what they have lost by the giving of electoral votes to the small frontier States; and it is this which has given such extraordinary political force to the so-called "Mugwumps." They are a body of a few thousand men, found chiefly in Massachusetts and New York, and drawn, for the most past, from the Republican party, who cannot be depended upon to vote for any candidate whom they do not personally approve. The retention of 600 of their votes by Mr. Blaine in 1884, would have given him the Presidency.

Many of the forty-four States in the Union can be depended upon from decade to decade to vote for the candidate of a particular party. Texas has never cast its electoral vote for any but a Demo-

crat; Minnesota, Vermont, Massachusetts, Rhode Island, and Iowa have uniformly cast Republican votes for President since the party was founded in 1856. In 1892 several States of this character, as Illinois and Kansas, were at last detached. This result was due chiefly to the growth of third party movements. With few exceptions, since the Constitution was founded the votes in the electoral college have gone for one of two candidates. From 1860 to 1888 there were no electoral votes except Republican and Democratic, although in 1880 a labor candidate got 300,000 popular votes. The third party movements are often successful in State politics; they may obtain a majority in the Legislature, or even elect a governor; but they make no figure in the Presidential election unless they have at least a plurality of all the votes cast in some State. The three great exceptions to this principle have been the elections of 1824, 1860, and 1892. The first was a personal struggle between four candidates not differing essentially among themselves in political principles. In the election of 1860 the Democratic party was split, and the two great elements of the Republican party had not yet got together, so that four candidates received electoral votes. In 1892 four States and one elector in a fifth State cast their votes for the "nominee" of a "People's Party." The adoption of the system of proportional representation by which each party in each State should receive a

number of electors proportioned to its share of the total vote would greatly encourage third parties, since it would enable them to gain a few votes in many States, and their total might give them the balance of power between the two great parties, thus preventing a choice by electors. It would also increase the interest in elections; at present there is no political object to be served by bringing out a large vote in the sure States. Should this system be adopted—and any State has the constitutional right to establish it for itself—a few third party electors from each of the several States would combine into a powerful and compact minority, perhaps able to dictate to the other parties.

On the same day as the Presidential election comes the choice of representatives for the first Congress which will sit under the new President; and in many States the Legislatures are chosen which are later to elect senators. November 8, 1892, was, therefore, an opportunity for the expression of popular approval or disapproval of the administration then in power. The electoral machinery is so peculiar that a change in the Presidency, the Senate, and the House, all through one election, is very unusual; since 1874 there have been but two occasions on which all these three branches of the legislating power have been elected from the same party. The Senate changes so slowly that it practically remains as the bulwark for the defeated party until it can recover its strength. In

1876, and again in 1880, the House of Representatives, elected at the same time as the Republican Presidents Hayes and Garfield, was Democratic. The result, when the Houses are of different parties, is a great loss of efficiency; each House tries to throw upon the other the responsibility for bad legislation, and each tries, to use a current political phrase, "to put the other in a hole" by forcing it to take issue on some question against its will. Hence the control of the Senate by the Democrats, a result of the State elections of 1892, is an unusually rapid change, and is promising for good government.

The Presidential election always arouses greater interest than any local or State election. For at least two months the country is in an uproar; great political meetings are held; there are torch-light processions; throughout the Union there are local committees in charge of the "campaign," and these report to their State committee and through it to the national. Money is raised by the national committee, apportioned among the States, and sub-divided so as to reach the points where it can accomplish most. The last days before the election are days of intense excitement. In 1880, just before the election a facsimile of a letter advocating the use of Chinese labor, attributed to General Garfield, was spread broadcast throughout the country by the National Democratic Committee. General Garfield instantly de-

nied that the letter was his, and it was afterward shown to be a clumsy forgery. The Democratic Committee, however, declined to withdraw it, and the result was that in California the Republican vote was so much reduced that five Republican electors failed to be chosen. It was generally felt that this was an unworthy trick, and it is not likely to be repeated.

On the night of the election, messengers furnished beforehand by the rival parties, transmit the results to the nearest telegraph office as soon as the count is made. By midnight the despatches begin to come in to the great cities, and a comparatively small number of returns suffices to show whether the tide is setting one way or the other. The candidates usually have private wires leading to their houses, and are furnished with early returns. By three o'clock in the morning the newspapers have a fairly accurate report. The next day the results are known throughout the Union, and within two days the excitement and bad feeling of the campaign have disappeared. Whichever candidate is chosen the people settle down, accept the inevitable, and there is a general feeling of relief that business may go on for a time untroubled by political questions.

IV.

DO THE PEOPLE WISH CIVIL SERVICE REFORM?

PRESIDENT HARRISON, in his first annual message, said:

"When those holding administrative offices so conduct themselves as to convince just political opponents that no party consideration or bias affects in any way the discharge of their public duties, we can more easily stay the demand for removals."

Senator Blair, of New Hampshire, is reported recently to have remarked:

"Civil service reform is a humbug; the law should be blotted from the statute book; I defy anyone to show one single instance where benefit has resulted from it."

Mr. George William Curtis, in an address delivered October 1, 1889, asserted that

"A conservative and patriotic intelligence . . . has already extorted from party a profession of re-

form. It will presently compel a policy of reform. The advance is sure."

These diverse authorities all tacitly assume that they are expressing the wish of the people upon an important question in their government. It is not a new question. It is now twenty-six years since Mr. Jenckes first began the agitation to which the clumsy name "civil service reform" has become affixed. An important act on the subject is now in the tenth year of its operation. That act, as applied by three presidents in succession, now covers about 43,800 servants of the government, out of the nearly 180,000 persons employed in all civil capacities by the United States. At the present moment the friends of the reform are urging a further extension to numerous classes of officials. On the other hand, bills for the repeal of the act have repeatedly been introduced by influential members of both parties.

The writer believes that the evils of political appointments are such as will eventually destroy popular government, if they are not checked; and that the remedies already applied are good, so far as they go. This essay, however, will be devoted to a different phase of the question. Leaving out of account the eager hopes of the reformers, whose task is not that of raising difficulties, and the objections of enemies, who are prone to lay stress on small defects of detail, the effort will be made to

find out what the people at large think about the matter, why the reform languishes, and what hope there is of arousing public interest. For, under a popular government, it is the sentiment of the man of average intelligence, education, character, and public spirit that must in the long run decide such questions.

The difficulty of ascertaining the dominant will of a large number of persons is so great that we shall try first to discover how the chosen representatives of the people look on the question of reform; and as every law depends for its final effect upon the executive, let us see how that branch of the government stands. In this case mere neutrality, a mere perfunctory execution of the law, is worth little. The terms of the Pendleton Act of 1883 leave it to the discretion of the president, for the time being, whether any appointments shall be made for merit; and even that act provides no bar against removals for political cause. The attitude of the president may certainly be assumed to be rather beyond than behind popular sentiment; for the president is a man accustomed to public affairs, and likely to feel the importance of "the king's business." Every president wishes to have a good, honest, successful, and popular administration; and would, if left to himself, make few changes, save among the advisory officers of the government. But administrative reformers must admit that no president is left to himself. He is

deflected by the consideration of his political debts, by the effort to make sure a re-election, or by the influence of his counsellors. Equally important, though far less noticed, is the personal pressure of friends whom a president likes to gratify. Still stronger is the consciousness of possessing the power to make a career for one's fellow-men. When presidents consume their time in docketing applications for offices, it is because the comparison of candidates brings a tickling sense of immediate power, not brought by the inauguration of a foreign policy or the championship of a reform. A president does what seems to him most important. For this very reason he is unwilling to forfeit that good-will and support of the members of his party in Congress that is necessary to carry through the statesmanlike measures dear to his heart. It is no wonder that no president, except Grant, has ever attempted distinctly to lead public opinion in this reform.

From the heads of departments, who come directly into contact with the working force of the government, we might expect a greater sense of the harm produced by frequent changes; and many of them are grateful for the relief afforded by the Civil Service act. Yet few of them have ever had the courage, within their own departments, to make the unwritten rule that no faithful and quiet official shall be discharged. If they and if the presidents strictly enforce the law as they find it

on the statute book, and use their discretion gradually to extend the rules, they do as much as the average man expects.

To measure public sentiment, and to determine the responsibility for action, we must therefore go back from the executors of the law to the makers of the law. Much otherwise useful political philosophy is based on the mistaken premise that the members of Congress are devoid of public spirit, sincerity, and honor. The average congressman is more alive to the evils of political appointments than the average constituent. But if congressmen, like presidents, have friends and political ties, they, too, enjoy office-broking, from the very pleasure of earning gratitude, or of doing their "duty to their constituents." Some of them willingly accept the position of keeper of a political intelligence office for their constituents. On the whole, perhaps the strongest reason for the lukewarm support given by members of Congress to the reform, is a liking for political excitement — an absorbing interest which takes the place of the artistic and literary interest of older communities. Though every congressman, once in, may see that if the merit system were altogether established he would be relieved of importunities, and perhaps of factions, he wishes to be re-elected; and defeat, for want of offices to distribute, is to him political annihilation. Neither party has ever taken up administrative reform as a caucus measure; an individual

may therefore oppose the reform without losing his political standing. No party leader could hope to detach a few votes from the other party, in order to give him a working majority in favor of a telling program of reform; and therefore no party leader has made the reform his own. From Congress, then, of its own motion, little is to be expected. Congressmen will be nerved to make further extensions of the law, and to vote appropriations, if they believe that the reform is popular. The constitution of the House Committee on Civil Service Reform, both in the Fifty-first Congress (1889–91) and the Fifty-second Congress (1891–93), is therefore encouraging, since it seems to show that both parties are in a respectful mood toward the reform as it stands.

The reformers are not satisfied as things stand; they wish the whole business of the government put on a better footing. Here come in certain neglected peculiarities of the American system of government, for which no person can be held responsible, but which seriously complicate the question of an advance in the reform. The slogan of the reformers is "Government business on business principles;" but nobody save the Nationalists believes that the government can conduct its business as does an insurance company, or a railroad, or a bank. In the first place, its business is not done for a profit; any express company that should undertake to carry four-pound packages at

the same rate to the suburbs of New York and to the Crazy Mountains, would find it necessary to reorganize its system of appointments. The United States Government does a vast variety of business. At Washington it has a great staff of administrative officers, accountants, clerks, copyists, and experts, all easily made amenable to the same discipline. In the cities there are custom-houses and post-offices too large to be compared even with the branches of great English joint-stock banks. On the sparsely settled frontiers, and everywhere throughout the country, are the small post-offices with inconsiderable incomes. In the foreign countries are the legations and consulates, with their peculiar functions. It is evident that the same system of selection cannot possibly be applied to all these branches of service. Again, the amount of government business is prodigious. In 1790 the population was 4,000,000; the revenue, about $3,000,000; and the number of officials, perhaps 2,000. In 1830, for 13,000,000 people, 50,000 officials collected $25,000,000. In 1860, population, revenue, and officials were 31,000,000, $56,000,000, and, perhaps, 80,000, respectively. In 1893 the 65,000,000 people will raise $400,000,000 through the medium of perhaps 200,000 persons. Indeed, this vast increase of business is one of the principal reasons for a reform. The government has long since outgrown its shell, and abuses of little account in 1830 will be fatal if not checked before 1930.

The great variety and amount of government business make it exceedingly difficult to apply the reformed system in a uniform manner to all branches of the service, even by the most varied tests, most skilfully applied. It is not very hard to convince an intelligent man that some better principle of selection can be found than mere political influence. But the problem for the reformers is to set forth a practical system for the minor appointments. The principle of competitive examination for clerkships may be considered established; filling the higher grades by promotion among tried subordinates, seems to have the approval of men no less influential than the Postmaster-General and the President of the United States. The present efficient and untiring Civil Service Commission may be depended upon to make examinations impartial, and to make them sensible. The real *crux* of civil service reform is how to provide for the country postmasters, who are by far the largest class of federal officials, and who come most closely of all into contact with the people. To leave the country postmasters to the present system of dictation by members of Congress, is to leave the reform incomplete. There is no constitutional power for electing postmasters or any other national officials save the president, vice-president, senators and members of the House of Representatives. Examinations or other competitive tests can hardly be applied to offices

having emoluments so small, and for which the candidates are so few. The country post-offices must almost always be carried on by people who have other business, and carried on in their places of business; it is not with us as in Germany, where the smallest government office brings with it social prestige and a special title of respect, and where there is a chance of transfer and promotion. That this difficult problem can be solved, is shown by the experience of England, where inspectors recommend such appointments, with a view to the greatest convenience to the community; but when shall we have a staff of inspectors entirely secure from removal if they recommend a man who does not vote with the party in power? In England, the fact that the telegraph business is done in local post-offices, makes it easier to furnish employment sufficient to take the whole time of one person.

The difficulties that we have just been discussing are inherent; they would exist were the people at large heartily interested in administrative reform. They are more serious because public opinion is apathetic. In the first place, the principle of rotation in office is firmly fixed in the minds of the American people. It rules the choice of legislators, executive officers, and judges; it appears alike in federal, state, local, and municipal government. When the Constitution was framed, in 1787, it adopted the principles of appointment and removal then common in the States; brief

legislative terms, but re-elections frequent; elected chief executives; appointed administrative officers, with unrestricted tenure; judges appointed for life. As the suffrage was extended, a change came over the States; as party spirit ran high, as men learned to elbow their way into political life, re-elections grew less frequent. In 1790, sixty-four per cent. of the members of the Connecticut Legislature had sat in it before; in 1889, only five per cent. Throughout the States, heads of executive departments were made elective; a system of party proscription of all appointive offices was established. Even the judiciary has been made elective in most States. Rotation, rapid rotation, has become the accepted principle of State politics. Where State constitutions set barriers, State constitutions have been easily amended.

There has been precisely the same process in the United States Government, so far as it could go. Congressmen are less and less certain of re-election. Since Jackson, no appointed official could be sure of his place longer than the term of the president who appointed him. The immense difficulty of amending the federal Constitution has been the sole protection of the judges. To only one other class of federal officers has a like protection been accorded. The experience of the revolutionary and later wars taught the people that the army and navy must have trained and permanent officers, because theirs is a highly technical profession; they, therefore,

are by law entitled to a trial by court-martial before dismissal.

With these exceptions, rotation is established as the principle of national government. Comparatively few congressmen serve beyond two terms; outside the classified service, few officials see the seventh year of government employment. Taking official service of every kind, municipal, state, and national, throughout the United States, the average time during which men who have entered the public service remain in public life, in any capacity, is probably not four years. It is evident, therefore, that the people see no injury to the public interests in frequent changes of officers.

There is a feeling that public offices of any kind are common property; that the right to hold them, like the right to pre-empt government land, is a natural incident of citizenship. A still deeper reason for the slow growth of the reform is the lack of confidence in expert knowledge of every kind. Self-confidence is a part of the heritage of a race whose traditions are those of frontier life. The average man likes to feel that he can do anything, up to setting a tire or conducting a diplomatic negotiation. It is not government alone that suffers from this exaggerated self-reliance; in the most technical professions there is an indisposition to accept the results of concentrated special study. It is well known that the old Capitol at Washington was designed by a physician whose

architectural training consisted of two weeks' study in the Philadelphia Library. Nevertheless, in architecture, engineering, law, medicine, and kindred professions, it is coming to be recognized that a careful scientific preparation is indispensable. But in more occult matters, such as plumbing, alms-giving, and government, the people still work by rule of thumb; nobody seems to consider it unusual that the New York Board of Electrical Control has not one member who is an electrician. Is it strange that most men deem themselves competent to take up the administration of a post-office, a custom house, or a bureau of the treasury?

There is a similar want of clearness about the relations of officers of the government to the people. The average man sees no essential difference between an elective officer, an executive officer having a political responsibility, and a simple administrative officer. He knows that the first class, the elective officers, change as often as the sovereign people change their minds; he knows that in all governments, officers who help to carry out the political policy of the government are changed when an administration changes; why should the third class be more favored?

Singularly enough, the argument that frequent change, with the consequent loss of acquired skill, is costly, has very little weight in the country at large. Americans pay the price for the best government, and accept an inferior article. The

reformers find it hard to bring home to the average man the truth that an expensive government causes expense to him. Ever since the civil war, "the government" has seemed to millions of people a kind of productive abstraction. Indeed, why should a man concern himself about wastefulness in federal business, when he sees greater wastefulness in his local paving and street cleaning or school-house construction? Prodigality of government is closely connected with prodigality in private expenditure; it is a fault of a country rapidly growing rich. The total burden of federal taxation is but $6 annually for each person, and it is so levied as to be too little felt. In this, as in many other ways, the demoralizing effect of a surplus has hindered reform. Again, the actual cost of the federal service and the actual number of persons employed are never stated to the people, and in fact are unknown to the officers of government. Eventually, as population increases and virgin soil and virgin forests are exhausted, the conditions of life will be more severe, and Americans will feel the cost of government as they do that of overcoats or of butcher's meat.

On the other hand, the government service is looked upon by many worthy people as an asylum for the unfortunate. Much of the public indifference to the reform is due to a culpable good nature, which finds it easier to recommend a man to the government than to give him private em-

ployment. It is rather remarkable that this sympathy with the unfortunate does not extend to the present holders of offices and their dependent families. There seems to be little popular feeling that there is a hardship in depriving a man of a place in which he has made himself valuable, and obliging him to learn a new calling.

It cannot be said that the examination system of testing candidates for appointment is a popular system. It is efficient, is approved by the experience of other countries, and is the only system at present possible which secures an equal chance to every qualified citizen. Still, it is an unfamiliar system, little used in private business. It is for this reason that malicious errors about examination papers and questions circulate, and are doubtless widely accepted. Any one may disprove the assertions that candidates are examined in the geography of China, or the principles of quadratic equations, by turning to a report of the national Civil Service Commission: but the average man uses no reports save those of

"*Fama malum qua non aliud velocius ullum.*"

There is in the popular mind an intimate connection between written examinations and text-books, county superintendents, college rushes, and unpractical professors. Competitive examination is not acclimated, and must establish itself by its own success. There is a widespread delusion,

also, that a man appointed on examination cannot be removed for incompetency.

Even were the impolicy and wastefulness of the usual system of appointments much more generally felt than they now are, it would still prevail; politics is to many minds an absorbing sport, pursued under rules and limitations, as are baseball or boating. The hidden work of politics—the formation of combinations, the elaboration of "slates," the arrangement of "deals"—is a pursuit. To take all appointive United States offices out of politics, would be like removing the championship among league baseball teams from all the uncertainties of contest. It is of course an exploded error to suppose that the votes fall off when the spoils are no part of the prizes, and politicians begin to suspect that patronage is at best a two-edged weapon. Nevertheless, three-fourths of the gambling element in politics—chance, "dark horses," "stuffed" ballot-boxes, "bosses," and political "deals"—would disappear if all appointments were made for merit; and a great many people enjoy the gambling element. The unfortunate connection between local and national parties, so clearly pointed out by Mr. Bryce, makes federal offices seem an essential part of the stakes in state and municipal contests. In a word, not only parties and politicians, but a great number of the people, like the "fun" of the present system.

If the question of reform could be separated from all others, it is probable that a decided majority in its favor could be made up; for the spirit of the American people is a spirit of honesty, thrift, and fair dealing. Here comes in the influence of inertia. It took thirty years to bring the slavery conflict to a crisis, and even then it was not the abolitionist who provoked it. The method of collecting revenue is not reformed; the iniquities and inequalities in the tariff are not corrected; why should a cold, unimpassioned reform like that of the civil service, with no sectional representatives to blow the coals, no special interests to make their plea, expect to proceed more swiftly? The present policy of the reformers in urging one small step after another, is very promising; for every improvement of the law, every extension of the rules, brings political inertia to bear in favor of the reform. The present law is narrow, is imperfect, and is but permissive upon the president; for that very reason infractions are more seriously felt.

What, then, is the conclusion to be drawn? Do the people wish administrative reform? Yes, they wish it; but very much as they wish virtue and the rights of man. They wish the reform brought about, but brought about by somebody else, without responsibility on them or on their legislators. On the other hand, they make it clear to their representatives and to the political parties, that

the reform is not a thing that is safe to oppose. The people wish the executive to enforce it impartially. They wish the Civil Service Commission to show pluck; and the vigorous action of the commission, wherever it finds evasion of the law, will have the hearty approval of public sentiment. There is at least an uneasy feeling that the present system is a poor system. The unwearied efforts of reformers to arouse public sentiment on this subject have been slow but powerful influences in moulding popular feeling. The reform, therefore, seems likely slowly to advance. It can never be complete until the sovereign people forget that there is any other ground for appointment to clerical office, state, municipal, or national, save merit, ascertained by some impartial test.

V.

THE CHILEAN CONTROVERSY.

A STUDY OF AMERICAN INTERNATIONAL POLITICS.

When, on September 25, 1887, a frontier guard, by a discharge across the boundary between Germany and France, killed a French subject, Boiguen, Europe was aghast. Behind the incident, in itself of little importance, stood the pride, hatred, and resentment of the two most powerful military states of the world. Millions of men stood ready to move at a day's notice; the credit of nations fell; diplomats and generals conferred; a war of vast proportions and incalculable consequences seemed at hand. Cooler counsels prevailed; the German government disclaimed responsibility and expressed regret; and the world slowly subsided into peace.

We in America self-complacently congratulated ourselves that we were exposed to no such alarms; that wars and the rumors of wars were far from our borders; that we had no great standing army, and were opposed by none; that peace was our

portion, and a latent but dignified strength the protection of the nation against aggressions; that we neither gave offence to our neighbors nor feared offence at their hands.

On October 16, 1891, a party of more than a hundred sailors from the United States ship of war Baltimore went ashore in the Chilean port of Valparaiso. A few hours later a riot arose, and two of them were killed and eighteen wounded. Suddenly the same excitement fell upon us as had fallen on the French in 1887. A hundred thousand dollars' worth of telegrams passed to and from our minister in Chile; the press teemed with an evanescent but angry war-talk; naval preparations were made. After three months of this agitation the President of the United States, in an official message, laid upon Congress the responsibility of deciding whether there were not cause for war. The next day an apology was made by Chile, and the matter quickly gave way in the public interest to the question whether a "blue-nose" skipper should fly the flag of his country in American waters.

The Chilean question has therefore ceased to exist, and it is not worth while to discuss its details, or to try to apportion the responsibility in exact measure between the two governments and their respective officials. But the real issue in the whole matter is not the Chilean question; it is the American question. Whether Chile was or

was not belligerent, dilatory, and obstinate is now a matter which chiefly affects the Chileans and their government. What it concerns us to know is whether the United States has taken up a new position toward our American neighbors; whether any new principle has been introduced into American affairs; whether the United States is to join the assemblage of the world's great powers, and to take part in general international disputes.

The purpose of this essay is, therefore, to take up the relations of the United States with Chile in 1891–92 as a study in international politics, using the incidents of the controversy as types of certain tendencies of our national policy. This is in no sense a party question; there is nothing in the attitude of the administration to show that a different party would have followed a different policy. It is not a question of individual statesmen: we may differ from the views of the President and Secretary of State, but no candid observer will deny their intention of promoting the interests of the United States, as they saw them. It is simply a question of what kind of public policy will make our country strongest and most influential, within and without.

The discussion of such a question is the right of every loyal American. There is a school of political thinkers who hold that criticism of one's country, or the policy of one's country, is like open criticism of a mother by her children. Such

a principle may answer in a country like Germany, the ruler of which avows to his military subjects that he is their "war-lord," and that they must shoot down their brothers at his command. We are not sons of our country; we are our country. Republican government is a political joint-stock company, in which every citizen is a member, with a fundamental right to object, but not to disobey. He may protest at the assessments levied upon him, provided he pays them; he may object to opening up new foreign connections, provided he submits when they are opened up. As the most useful graduates of a college are sometimes those who point out faults in its administration, and the most useful members of a party are often those who protest against bad leaders, so it is no mark of lack of patriotism to inquire whether our beloved country—which we all believe to be the best in the world—is applying to other nations the principles which we expect to see applied to ourselves.

The two parties to the Chilean controversy, though very different in power, have many common characteristics. Like the American colonies, the Chileans in colonial times were less subject to the control of the mother country than their neighbors. Like the United States, they achieved their independence early, and have since maintained the most vigorous and least disturbed of all the Latin-American governments. A decided

preference for republican institutions, as they understand them, again connects the two countries. In addition to their Spanish strain, which is the main European stock in Chile, flourishing grafts of English and American blood are evident in the names of several of the Chilean public men: among them are Admiral Lynch, Judge Foster, who made the investigation into the Baltimore affair, and Ricardo L. Trumbull, unofficial envoy to the United States, and a descendant of that Jonathan Trumbull who was the original Brother Jonathan. The Chileans have been a progressive people, improving their resources, showing keen commercial ability, and known in the shipping trade as the "Yankees of South America." This enterprising spirit has taken the form of territorial growth. In 1881 Chile secured a confirmation of claims to Western Patagonia, and in the same year forced Peru to cede a strip of desert on the border of the two countries, formerly the Peruvian province of Atacama. The region is one of the most arid on the face of the earth. It is so utterly desolate and devoid of streams that there is a story of a Peruvian admiral who, during the war, found that the guns of his ships commanded on shore the condenser with which an invading Chilean army was procuring the water necessary for its onward march. A few shots might have destroyed it. The Peruvian declared that he could fight men, but not leave them to die of thirst; and so he steamed

away. Within that desolate region lies one of the great treasures of the earth—a nitrate deposit of almost inexhaustible extent, awaiting only the application of sufficient capital to enrich the country which owns it. In this great mass of "portable property" lies one of the obscure sources of the Chilean war, and perhaps of American firmness. The two parties to the civil war in Chile were each connected with a syndicate of capitalists for the development of the nitrate beds, and if war had broken out between the United States and Chile, the nitrate beds might have eventually become security for an indemnity.

In situation and in population the two countries are very different. Chile occupies the razor-edge of the Andes, a long narrow strip hemmed in between the ocean and the mountains. Her area of three hundred thousand square miles is but one-eleventh that of the United States. Her population of two millions seven hundred thousand is hardly one-twenty-fourth as great as our own. The direct trade between the two countries is small—only about five million dollars a year, including exports and imports; and the opportunities of conflict between the nations seemed in 1890 as far away as the causes of that war which the French peasants informed Hamerton was about to break out "between Italy and Lapland."

That a conflict arose is due in part to changes in the United States, in part to changes in Chile, in

part to the personal character and influence upon each other of the statesmen of the two countries. It is now almost fifty years since the United States began to appear as the arbiter of affairs in the Western world. The Monroe Doctrine of 1823 was, to be sure, only an announcement of "hands off" to other nations. With the intrigues for the annexation of Texas and then of California, from 1836 to 1846, begins the tendency to consider the Latin-American countries of North and South America as a field for American diplomacy. Attempts were made to annex Cuba, to support expeditions for the conquest of parts of Central America, and to secure a canal site across the Isthmus. In 1865 the French were warned out of Mexico, and they obeyed. During the last quarter century, however, as the Latin-American peoples have gained strength and steadiness, our policy has been to attract them by peaceful means, by offering them privileges of trade, by opening up communication with them. President Arthur sent a Commission to report on the best means of entering into relations with them; the Fifty-first Congress, 1889–91, offered a reciprocity scheme and provided for subsidizing steamer lines to reach them. In 1890 a Pan-American Congress was held in Washington to further the growing relations of trade and friendship. To this general policy there have been but two exceptions: in 1881 the United States came into diplomatic col-

lision with Chile; in 1891 Chile came into diplomatic collision with the United States.

These two Chiles were not precisely the same. In 1881 that country was flushed with the success of a fierce war against Peru, in which the latter nation was abjectly defeated and placed at the mercy of Chile. Acting, doubtless, under a natural feeling of sympathy with a distressed people, President Garfield consented that the United States should step in as mediator. His long and fatal illness gave to his Secretary of State, Mr. Blaine, unusual power, and he instructed our Minister to Peru, Mr. Hurlburt, to protest against annexation of Peruvian territory by Chile. The communication was complicated by the assertion of the United States that a large claim based on nitrate discoveries ought to be provided for by Chile. The protest was ineffectual, and before the United States could press the point further, President Arthur had appointed a new Secretary of State, Mr. Frelinghuysen, who reversed the previous policy and permitted the Chileans to dictate the terms of a treaty to Peru—and very harsh and brutal terms they were. The Chileans went on with their own internal affairs. As the supremacy of their navy had led to their victory over Peru, they built several new war vessels, among them the fast protected cruiser Esmeralda, at one time the best vessel of her class in the world. They continued as a republic, but a re-

public rather in the mediæval than the modern sense. Although in form the government is like that of the United States—leaving out the Federal features—the political affairs of the country are in the hands of a comparatively small number of men of wealth and station. The number of votes for President is usually about two per cent. of the population, against about eighteen per cent. in the United States. In 1890 there came about a division in the ruling class. The President, Balmaceda, was opposed by a combination which had a majority in Congress, and was determined that none of his adherents should be elected President to succeed him. They cut off the appropriations; he raised money in defiance of them. The result was an appeal to arms by the Congressional party in January, 1891, and a consequent civil war. The navy sided with the Congressionalists, the army with Balmaceda. For many months the contest was doubtful; but in the end the Congressionalists were victorious, thanks to their ability, by means of their fleet, to place a little army anywhere on the coast, and to the preference of the majority of the Chileans for their cause. They captured Santiago, the capital, August 30, 1891, and thus established their claim to be recognized as the Government of Chile.

The three chief actors in that part of the drama which concerns the United States were the President of the Chilean Republic, the Secretary of

State in the United States, and the Minister of the United States, first to the Balmacedan and then to the restored Chilean government. Mr. James G. Blaine was a statesman of great public experience, and his somewhat ardent temperament was in 1891 much moderated by experience. His favorite policy, since he came into office in 1889, had been to cultivate friendly relations with our Latin-American neighbors. Of the three men he showed throughout most calmness and good temper, and, so far as appears in the published correspondence, he manifested dignity without haste. President Balmaceda was a man of a type familiar in Latin-America; unscrupulous, cruel, determined, able, a would-be dictator. Like most men of his class he had obscure relations with holders of government concessions, and he probably attempted to bolster himself up by making them liberal promises. In despair at his failure and inability to escape, after the collapse of his government, he committed suicide, September 30, 1891. Patrick Egan was treasurer of the Irish Land League in Ireland, and left the country hastily after the Phœnix Park murders of 1882. Those who know him speak well of his character and his business experience; and no connection with the murders has ever been traced to him. The appointment of Mr. Egan as minister to Chile, in 1889, was, however, upon its face unsuitable and impolitic. He was a very recently naturalized

citizen of the United States. It has been the practice of our government to send to the less important missions obscure men of little or no public experience. To Chile, however, as the most promising of all our Southern neighbors, it was especially desirable to send some one who understood the language and the people, and whose station at home was such as to make his appointment a compliment to the nation to which he was accredited. The selection of Egan was particularly unfortunate in view of the commercial connections of Chile with England, which was certain to bring him into unpleasant controversies. Other civilized nations send ministers who may favorably affect the people among whom they go; the United States alone seems to suppose that a minister who is popular in the country to which he is accredited, must gain that popularity by betraying the interests of his own country. Especially is this true of the Minister to England. Mr. James Russell Lowell was accused of un-Americanism, because he was in a position to serve his country well; and Mr. E. J. Phelps is believed to have failed of the appointment of Chief Justice because he had been acceptable to Great Britain. Notwithstanding these drawbacks, Mr. Egan was favorably received by the Balmaceda government. When the tide changed, and he was left to represent us to the Congressional government, difficulty began, and he became the central point of the whole controversy.

Mr. Egan's first mistake was that, while showing courtesies to both parties, he plainly sympathized with Balmaceda and expected his triumph. In this he was supported by the unofficial and official influence of the United States. An English correspondent, a partisan of Balmaceda, says that "the Americans had . . . stood almost alone in evincing sympathy with the cause of the President," and that he found "the officers [of the Baltimore], from the captain downward, very distinctly partisans of the government. They regarded the alleged causes of the revolution as mere flimsy pretexts." This impression was reflected to the United States. It was, of course, right to continue relations with Balmaceda, who held the capital and chief port and controlled the army. When envoys of the Congressional party appeared in Washington, the government very properly refused to recognize them as representatives of an independent nation, and declared that it "feels bound to maintain its attitude of impartial forbearance." In his message of January 25, 1892, President Harrison says, with justice: "The conduct of this government during the war in Chile pursued those lines of international duty which we had so strongly insisted upon on the part of other nations when this country was in the throes of a civil conflict. We continued the established diplomatic relations with the government in power until it was overthrown, and promptly and cor-

dially recognized the new government when it was established."

There was, nevertheless, an undercurrent of feeling in official circles and in the press that the Congressionalists were opposing the "man of destiny," and that their defeat was to be desired. This feeling rose to great excitement when it was announced that the Itata, a merchant steamer chartered by the Congressionalists, on May 5, 1891, had slipped out of a California port with arms on board. It was a doubtful point whether the arms might not have been sent in the most open manner, without furnishing cause of complaint from the Chilean government. It was as certain as points of international law can be, that the Itata and her crew could be dealt with only if they again entered an American port; but a United States cruiser was sent in chase, and the Congressionalists were glad to give up the arms rather than to incur further ill-will from the United States. A decision of the United States courts has since been rendered to the effect that there was no ground for detaining the Itata.

As the struggle went on, two other incidents showed an unfriendly spirit toward the Congressional party. The telegraph cable which formed the northward connection from Valparaiso, and which was of great importance to Balmaceda as a means of connection with the United States and Europe, landed at Iquique and then went on north-

ward. It was the property of a company chartered in the United States. Iquique was in the hands of the Congressionalists, who thus controlled the connection. On Mr. Egan's recommendation, the United States gave naval protection to the cable company while they cut their cable outside Iquique and spliced a direct off-shore connection. The right appears to be with the cable company, but the Congressionalists believed that Egan used his influence with the home government to secure a favor for Balmaceda.

A much more serious incident came just at the end of the war. The Congressionalists felt strong enough to land an army and march on Santiago. It was of the greatest importance to them to make a secret and unexpected movement, landing either north or south of Valparaiso, and thus eluding the Balmacedist army. As they had control of the sea, there was no possibility of the Balmacedists watching them in steamers. On August 20th it was rumored in Valparaiso that the Congressionalists were landing in Quintero Bay, some twenty miles north. According to John Trumbull, then in Valparaiso, the United States cruiser San Francisco at about noon steamed out of the harbor northward, returning about five o'clock. A port boat, carrying the United States consul, put out to the ship; as soon as it returned it was announced that eight thousand men had been landed. Government troops were at once forwarded by rail

to meet the invasion, and next morning the government organ announced, as "from trustworthy news brought by the United States war-ship San Francisco," that the force landed was such as to make it clear that it was not a feint, and that the landing party would not be re-embarked. After Balmaceda's fall the following telegram was found among his papers:

VALPARAISO, Aug. 21, 1891, 9.36 A.M.

MR. PRESIDENT—The American admiral has left me only this moment, and he believes, as I do, that a re-embarkation is not possible.

[Signed] VIEL.

The information did not prevent the Congressionalists from taking Santiago, but the feeling of soreness left in their minds may perhaps be made clearer by an illustration. When the expedition of 1862 was sent to the Gulf, it was of the highest importance to the Confederate army to know whether the attack was to be on Mobile or on New Orleans. If a British ship had steamed out from Mobile to investigate, and on her return, with or without the officers' knowledge the news had been circulated that the fleet had entered the Mississippi, what would our government have done?

To this damaging charge Admiral Brown has replied what we must believe to be the truth, that he gave strict orders that no one on his ship should divulge information. His error was in

supposing that such information could be kept under such circumstances; he put himself and his ship's company in a position to favor one party over the other. His connection with the Balmacedist official may also be explained without reflecting on his candor, but not without making the United States, through its officers, responsible for the breach of neutrality. The temper of the navy was later shown by a telegram from Commander Evans of the Yorktown, January 16, 1892, addressed to the Secretary of the Navy and through him made public. He says that he has "requested the American Minister to state to the Minister of Foreign Affairs that I am responsible to my own government, and not to that of Chile, in such matters, and that I consider his criticism offensive and will not accept it;" and he spoke of the conduct of the Chilean Minister of Foreign Affairs as "unworthy of the representative of a serious government." In this case he was promptly disavowed by Secretary Blaine; but he was not reprimanded by his official superior, Secretary Tracy, of the Navy Department.

For all these matters Mr. Egan can hardly be held responsible; but, throughout the period of the war, the Congressionalists appear to have looked upon him as a partisan of Balmaceda. In his despatches Mr. Egan attempts to show that he was trusted by Congressionalists, inasmuch as they besought his good offices with Balmaceda; it is

equally possible that they applied to him because they knew he had been in favor with the dictator. It appears that he expressed the opinion in June, 1891, to an American naval officer, that "the Government at Santiago cannot be disturbed." He was the agent—perhaps simply the channel—of various impudent requests of Balmaceda, among them one for the purchase of a man-of-war from the United States Government, and for leave to send four million dollars in silver to Europe in an American cruiser. It was also very unfortunate that Mr. Egan's son was made agent of a railroad company which has a claim for five and a half millions against the Chilean Government. Of course Mr. Egan supposed that he was dealing with a Government which would soon crush out the revolution; but he must take the responsibility of thus incurring the ill-will of the Congressional party when it came into power. While, therefore, there is no published evidence of a failure of Mr. Egan to obey instructions, or of such inexcusable carelessness as that of Admiral Brown, it is impossible to agree with President Harrison that "the history of this period discloses no act on the part of Mr. Egan unworthy of his position or that could justly be the occasion of serious animadversion or criticism."

In considering the quarrel with Chile, it must be kept in mind that there were three very distinct periods of diplomatic relations with the Chilean

Government: first, to the time of Balmaceda's overthrow, August 30, 1891; then with the reconstructed Government, while Señor Matta was Minister of Foreign Affairs, to January 1, 1892; and third, with the same Government after a Cabinet change, under the Foreign Secretaryship of Pereira. In the second period, with one important exception, Mr. Egan seems to have conducted himself with dignity and sense. Their representative, Señor Ricardo S. Trumbull, says that the Congressionalists were too busy in restoring their Government, and too glad to get into power, to raise difficulties with the United States Minister. What the Chilean Government had no intention of doing, the populace of Valparaiso accomplished; and Chile was suddenly altered from a country with a grievance against the United States, but ready to forget, to a country against which the United States had a grievance which it would not forget.

October 16, 1891, about two months after the overthrow of Balmaceda, a large party of sailors on shore leave from the United States ship Baltimore was assaulted by a mob, two were killed and a large number—eighteen—wounded; one Chilean was hurt. Of the crew of the Baltimore more than half were foreigners; but they all wore the uniform, and were entitled to the protection of their government. The evidence as to the origin and conduct of that riot has been reviewed

by many competent tribunals: by the Chilean courts on the spot; by Captain Schley, of the United States Navy, on the spot; by a later investigation in San Francisco; by the newspaper press all over the country; and finally, in an elaborate message of the President of the United States. A reading of the correspondence leaves little reason to doubt that the riot was inspired by a violent prejudice against American sailors on the part of the lower stratum of the population. There seems no evidence that it was the result of an elaborate plan. There is no evidence that the police participated—in fact they put an end to the affair with no gentle hand; and many of the seamen were roughly hustled off to jail, as the Chileans assert, to keep them out of danger. The attack was indefensible and cowardly, and plainly required the Chilean government to disavow responsibility, to punish the aggressors, to express regret, and to promise an indemnity. Unfortunately that government felt itself weak, and had not got over the sting of the Itata and Quintero Bay incidents. It therefore took refuge in a course of diplomacy very like that of Secretary Blaine in March, 1891, when some Italian prisoners were lynched in a prison in New Orleans. It made a non-committal expression of regret, declined to take responsibility as a government for the act of a mob, and promised investigation. In this whole matter, so far as appears in the published corre-

spondence, Mr. Egan behaved with coolness and circumspection. The government in Washington gave him some discretion in phrasing his notes to the Chilean government; but he appears to have confined himself throughout to almost a verbal transcript of his instructions; and there is not an unbecoming expression in this part of his correspondence. His attitude and language seems much more moderate than that of some of the newspaper attacks upon him. Chile was in a confused and distressed condition; and the State Department at Washington showed a corresponding forbearance. An expression of regret for the attack was at once demanded, but the matter was left in abeyance till the tedious process of the Chilean courts had worn itself out. In a word, the Chileans, like all weak powers engaged in diplomatic controversies with stronger, desired to gain time; and they were not pressed for three months.

Meanwhile another question had come up in which Mr. Egan showed less discretion, and his government supported him in unreasonable claims. During the war several of the Congressionalist party had taken refuge in the American Legation, which had sheltered them from the Balmacedists. The privilege depends on a general principle of international law, but a principle only applied in less civilized parts of the world. The official residence of the ministers of one country in

the country to which he is accredited is always considered a bit of his home territory ; neither he nor his servants may there be molested, nor may the officers of the law enter it. In countries like the dependencies of Turkey, Japan, and China, Spain and the Latin-American States, fugitives from justice are usually not to be sheltered in the embassies. To this rule there is one exception. But even this exception to the sanctity of the ambassador's house is by tacit consent given up in the case of political refugees. Governments rise and fall rapidly, and the dictator of to-day may be the outlaw of to-morrow. The privilege is not supposed to be perpetual : the fugitive is protected till he can escape, or till the government relents, or till his party comes in again. In this manner Mr. Egan received two partisans of the Congressionalist party. Under this privilege, when the crash came, he received Señora Balmaceda and about sixty other persons. Other legations did the same : Balmaceda himself was for a time sheltered by the Argentine Minister.

Party spirit was now unusually exasperated in Chile, and when it showed no signs of relenting, and the fugitives still remained, the government grew uneasy and tried various expedients for bringing them out. Egan was importuned to turn them out-of-doors, and very properly refused. Some of them appear to have been indicted for ordinary crimes; but he still maintained, as he

had a right, that they were not ordinary criminals. An attempt was made to impeach some of them, but this was equally unavailing. Meanwhile the government tried blockading the house, on the ground that persons were constantly in communication with the fugitives, and were conspiring from this place of safety against the government. Mr. Egan denied the conspiracy, and insisted that his residence should not be besieged. His government supported his position, and the blockade was raised. The house was still watched to prevent escapes, and vexatious incidents kept up the ill-feeling between the government and the embassy. Foreign Minister Matta wrote despatches in a vein so discourteous that no man of spirit could bear it, and Mr. Egan replied sharply.

So far our Minister must stand justified; but he now advanced another doctrine, which was indefensible and could not fail to be offensive: he claimed as a part of the right of asylum the safe departure of the refugees out of the country; the aroma of United States territory which protected the refugees in the legation was also to waft them through the seventy miles to the sea-coast and so upon a British vessel. In a despatch of October 22, 1891, Mr. Egan said to the Chilean Government: "There cannot, therefore, be cause for surprise on the part of your Excellency if the government of the United States should interpret as an act of but slight courtesy and consideration, that

the Chilian Government, having the power in its hands to make this friendly manifestation, should not wish to do so, in accordance with the respect due to the invariable practice and international policy of Chili." This laying down of a new principle in international law, for it was not the invariable practice and international policy of Chile, would be inexplicable but for one short sentence in Mr. Egan's letters to Secretary Blaine: he says that he acted strictly in the spirit of the department in its instructions in the Barrundia case.

The title of a recent work of great learning and value is "Digest of the International Law of the United States." If there be such a thing as international law peculiar to one country, it is to be found in the Barrundia case. On August 27, 1890, Barrundia, a criminal fugitive from Guatemala, was a passenger on an American merchant steamer which touched at a Guatemalan port. The deck of a merchant vessel is in all civilized countries simply a part of the territory in which it lies. The local authorities, therefore, came off to capture Barrundia, he resisted, and was shot and killed. An American vessel of war was lying near by, and its deck was, under international law, a bit of American floating territory; but the Commander, Reiter, on the advice of the American Minister, declined to interfere. Had the affair happened in Marseilles and had he interfered, our

Government would have apologized or there would have been war. Had an English cruiser interfered to prevent the capture of an American on board an English merchant vessel in New York Harbor, the commander of any fort would have been justified in turning his guns on the man-of-war. As it was the territory of a weak Latin-American State which was in question, the officer of the American ship received the severest naval penalty short of cashiering. The principle of the Barrundia case is simply, that American ships may violate the territorial rights of weak American States; and it was to this principle that Mr. Egan refers. Secretary Blaine does not appear to have supported Mr. Egan's assertion of the right of safe-conduct, but approved his stand in protecting the refugees. Eventually, rather than provoke a quarrel on the subject, the Chilean Government permitted some of the refugees to leave the country, and on January 25, 1892, it was announced that they had reached Callao in the U. S. cruiser, Yorktown.

The compliance of the Chilean Government was not because it accepted the Barrundia principle, but apparently because it had become involved in two other controversies, in each of which it had put itself in the wrong. On December 13, 1891, Señor Matta, the Chilean Foreign Minister, irritated by a passage in President Harrison's message and Secretary Tracy's accompanying report to Congress, sent out a circular to the Chilean am-

bassadors; it was published in the Chilean papers and was intended to be a defiance. He declared, "that the statements on which both report and message are based are erroneous and deliberately incorrect. . . . There is, moreover, no exactness or sincerity in what is said at Washington." The delay in the investigation of the Baltimore affair was, he said, "owing to undue pretensions and refusals of Mr. Egan himself." His own attitude "has never been one of aggressiveness, nor will it ever be one of humiliation, whatever may be or has been said at Washington by those who are interested in justifying their conduct, or who are blinded by erroneous views. . . . We feel confident of the right, the dignity, and the final success of Chile, notwithstanding the intrigues which proceed from so low [a source] and the threats which came from so high [a source]."

It was, perhaps, fortunate for Mr. Egan to be thus coupled with the President in a general denunciation of the government of the United States. The note was to the last degree insulting, and would have justified a withdrawal of our Minister and a severance of diplomatic relations. The attempt was made later to set up the claim that it was a "domestic communication" which could not be the subject of diplomatic complaint. Mr. Blaine declined to accept the view that a nation is to take no notice of an insult not directly communicated, and refused to receive as a sufficient

apology a statement that the Chilean Government would strike out the offensive words.

The second difficulty was caused by the persistent delay in the official investigation of the Baltimore affair. "In view of the fact that the Government of Chile was still provisional," says President Harrison, "and with a disposition to be forbearing and hopeful of a friendly termination," he waited for the report of the Chilean courts; a preliminary statement of the result was not received in Washington till January 8, 1892; indictments were found against several Chileans, but the court appeared to gloss over the real cause of the trouble.

In the elaborate review of the difficulty made in his message of January 25, 1892, President Harrison says: "The communications of the Chilian Government . . . have not at any time taken the form of a manly and satisfactory expression of regret, much less of apology." This statement is accurate as to the attitude of Chile up to the end of Matta's administration. To Mr. Egan's protest and demand for an apology, phrased in the terms of his instructions on October 26th, Señor Matta replied on October 28th, with a defiant and abusive note. The assault on the Baltimore was, he said, "deplorable;" but he appeared to leave it to others to deplore it. He said that Egan's note, "emits appreciation, formulates demands, and advances threats that, without being

cast back with acrimony, are not acceptable, nor could they be accepted by this department, neither in the present case, nor in any other of the like character;" and he roundly asserted the incontestable right of Chile to judge of the Baltimore affair in her own courts and in her own way. Señor Montt, the new Chilean Minister at Washington, did on December 11th speak of "the lamentable events at Valparaiso, which my Government had deeply deplored;" and he promised "that if Chilean citizens were guilty they should be punished." Yet on December 13th was issued Señor Matta's official circular, which has already been discussed.

When, in January, the Chilean foreign department passed into the hands of Señor Pereira, a change is instantly visible; on January 4th Señor Montt at Washington officially mentioned the occurrence which "Chile has lamented and does so sincerely lament." Four days later he announced that he had received special instructions to state "that the Government of Chile has felt very sincere regret for the unfortunate events which occurred in Valparaiso on the 16th of October;" and he added that his Government "cordially deplores the aforesaid disturbance." Minister Montt had already suggested arbitration as a means of settling the dispute. Surely this might have been accepted as the apology due for the unofficial attack on the sailors of the Baltimore, leaving for settlement only the question of the punish-

ment of the guilty, and an indemnity for the killed and injured. About the same time the watch over the refugees was relaxed. There remained, so far as the Chileans understood, only one matter to be adjusted, and they proceeded to make amends for that. On January 16th the Chilean authorities notified Mr. Egan that they would withdraw any offensive passages in the Matta circular, and had instructed their Minister in Washington to express regret. The apology, thus expressed both in Washington and Santiago, was stiff and ungraceful, perhaps inadequate; but it was made in good faith. On January 20th, evidently feeling that all was now serene, the Chileans ventured, acting on a hint of Mr. Blaine's, to ask for Egan's withdrawal as a *persona non grata*.

What, therefore, must have been the dismay of the Chileans on January 23d, to receive an official notice, which the newspapers dubbed an "ultimatum," containing the statement that the United States Government was not satisfied with the result of the judicial investigation at Valparaiso and still asked "for a suitable apology;" that for the Matta note there must be still another "suitable apology," without which the United States would terminate diplomatic relations; and that the request for Mr. Egan's withdrawal could not at that time be considered.

It was a bitter draught for any government; but threats of war were resounding through the

United States; American naval vessels were hurriedly being made ready; coal and supplies were going into the Pacific. There was power behind the note, and Chile prepared to bend to the storm. The "ultimatum" appears to have reached the Chileans on Saturday, January 23d. On Monday, January 25th, they sent an answer which could not possibly be read as anything but a complete and abject apology on all the three points.

Mr. Roosevelt tells us that during his legislative experience in Albany, the anti-Tammany men sent in a list of the offices which they claimed as their "ultimatum." The Tammany men, who were good diplomats but poor Latinists, responded with what they called an "ipse dixit." In this case, while the "ultimatum" proceeded from the State Department, the "ipse dixit" was a message issued by the President of the United States, on the day when the Chilean answer was being forwarded. It rehearsed the whole controversy at great length, submitted copious correspondence, and ended with the significant phrase: "In my opinion I ought not to delay longer to bring these matters to the attention of Congress for such action as may be deemed appropriate."

It is not for mortals to peer into the secrets of Olympus, or to consider the influences of Secretary Neptune of the Navy Department, or of Secretary Minerva, the stately Goddess of diplomacy. Nor are the materials at hand to verify the popu-

lar belief that President Harrison took the Chilean affair out of the hands of Secretary Blaine, and overruled his counsel. It is an unprofitable controversy as to whether the authorities in Washington knew that an answer was on its way: if they had read the correspondence they knew that an answer must come, and that the Chilean Ministry must send a peaceful answer. It is therefore difficult to understand the purpose of the President's message.

On January 26th the Administration became at last aware that its effect had been merely to deepen the humiliation of Chile. For the Baltimore incident Señor Pereira declared that "he does not for a moment hesitate to condemn in vigorous terms the act committed on the 16th of October, or to offer such reparation as is just." As for the Matta note, he "deplores that . . . there were employed through an error of judgment the expressions which are offensive in the judgment of your Government," and "absolutely withdraws the said expressions." As to Egan, he agreed to "take no positive step without the accord of the Government of the United States." It is related of a wily Russian diplomatist, that having sent in an ultimatum he afterward made a new proposition as an "ultimatissimum." The apology seems the ultimatissimum of humility. Thus the matter ended. The United States carried every point and conceded but one—the disavowal of the fiery note of Commander Evans.

This summary review of events must not be understood to ignore the substantial grievances of the United States. Our sailors were assaulted, apparently because they were our sailors; investigation was delayed a quarter of a year; Minister Egan, Secretary Blaine, and President Harrison were all treated by Señor Matta with unbearable insolence. These were all things demanding an apology; failing an apology, after due and formal request, the proper remedy in such a contest with a weak nation is to withdraw our ambassador. It is not a proper remedy to threaten war, or to prepare to spend perhaps two thousand lives of our own subjects in order to hasten reparation for the loss of two.

It is, of course, unfair to hold the Administration responsible for the foolish and vaporing war talk of the newspapers; but one of the interesting features of the whole display is the semi-publicity of delicate negotiations. Both the Chilean and American Governments have disregarded the fundamental maxim of diplomacy—not to show one's whole hand to the adversary. Important despatches, like the Matta note, have been given to the press. Semi-official interviews have been granted to reporters and published. England is held to be at a disadvantage as against other European powers, because Parliament may at any time compel ministers to state the progress of negotiations. Our President is wisely armed with discre-

tion to withhold information even from Congress; and the partial statements made public through irregular channels have fed rather than allayed the excitement.

Another weak spot in our system brought out by this controversy is the lack of harmony between executive departments. In the Bering Sea question a few years ago, Secretary of State Bayard and Secretary of the Treasury Manning, gave contradictory orders. The President interfered and established a policy. In the Chilean affair the Secretary of State and Secretary of the Navy seem to have been at cross-purposes, and the President did not straighten the matter out. Plainly, if we are to have any consistent foreign policy it should be intrusted to the Secretary of State to administer, and the army and navy should be subordinated. Naval commanders are highly educated men, but they are soldiers; the command of a powerful ship and the possession of a grievance are together too much for their self-control; they must be placed under some indisputable authority, or we shall get into trouble all over the world.

The controversy further illustrates the inconveniences of modern civilization. The Pasha of Many Tales objected to the art of writing because, he said, when a man paid his tax he had to give him a receipt; and then when he tried to collect the tax a second time, he was confronted by that pa-

per. Many times must Minister Egan have wished that the Congressionalists had cut the cable at Iquique. Modern diplomacy puts the Foreign Minister at one end of the telephone, and the Secretary of State at the other. The swiftness of communication also permits quarrels to roll up with alarming swiftness. Under the old system of mail connection it would have been morally impossible for a President to send in a hostile message on the day when the mail steamer was expected with an apology.

The effect of the somewhat theatrical message of President Harrison was to inflict an unnecessary humiliation on Chile. Spanish-Americans have good memories. Mexico still cherishes resentment for the war begun against her forty-five years ago; and forty-five years hence the Chileans are likely to remember the Balmaceda affair as Americans remembered the impressment of American seamen by Great Britain. We have the apology, but with it we have the ill-will.

Nor is the ill-will likely to be confined to Chile. Peru doubtless rejoices at the discomfiture of her old enemy, but other powers are likely to see in it a reason for holding aloof from the United States. We are in danger of entering into the bullying policy which has made Great Britain unpopular the world over. We must protect our ships, our men, our flag, and the honor of our country on all seas and in all ports. But to leave out of account the

pride and sensitiveness of the Spanish race, in making reclamations and exacting apologies, is simply to build up a hostile wall round about us. We are not so powerful that we can afford to make unnecessary enemies.

More important than all the rest is the effect of an ill-considered foreign policy on our own political prosperity. No one who has examined the diplomacy of the last ten years can fail to be struck with the inclination of the Government to set up new principles of international law which are not only not acknowledged by other nations, but which are likely to be wrested to our own hurt. We have asserted an interest in Samoa which gives us a kind of a protectorate over a South Sea Island; for many years we strove against a similar British claim in Belize. At one time we claimed Bering Sea as our territory, forgetful of the other seas in other parts of the world which, on the same principle, may be closed to us. We have asserted that an American ship is a part of American territory; and deny that the same principle may be applied to American ships in foreign ports. We have claimed safe-conduct for refugees in our Latin-American legations; it is impossible to admit a corresponding right in their legations in Washington. The fault of our diplomacy in the Chilean relations, as elsewhere, is a strict rating of our own rights and privileges and an underestimate of those of other powers. Sixty-five mill-

ions of people with a powerful navy may without personal danger ignore commonly received principles of international law. But in the end we have gained petty advantages, made unnecessary enemies, and put weapons into the hands of powerful nations to use against us in the future. The United States is established as the arbiter of the Western world; our dignity does not require so much self-assertion; as Bryce says, "We do not need a steam-hammer to crack nuts."

VI.

THE COLONIAL TOWN MEETING.

"At a Meeting of the Freeholders and other Inhabitants of the Town of Boston Duly Qualified being Regulerly Assembled in A Publick Town Meeting at the Town House in Boston on Tuesday September the 14th 1731:

"After Prayer by the Revt mr John Webb,

"Habijah Savage Esqr was Chose to be Moderator for this Meeting

"Proposed to Consider About Reparing mr Nathaniell Williams His Kitchen &c—

"In Answer to the Earnest Desire of the Honourable House of Representatives—

"Voted an Intire Satisfaction in the Town in the late Conduct of their Representatives in Endeavoring to preserue their Valuable Priviledges, And Pray their further Endeavors therein—

"Voted. That the Afair of Repairing of the Wharff leading to the North Battrey. be left with the Selectmen to do therein as they Judge best—"

The above record of an apparently brief and uneventful assembly of the voters of Boston is an epitome of the colonial town meeting. The legal forms under which it was summoned and debate

went on were usual throughout New England. The devout opening and orderly procedure were characteristic of the times and the people. The three items of business illustrate the triple functions of the town meeting in the seventeenth and eighteenth centuries: it acted as a legislature of the town, as an organ for the expression of opinions on matters of state, and as an electoral and directing assembly.

Since the early settlers of New England were of about the same degree of education and political experience in all the New England colonies, and since the physical and ecclesiastical conditions were much the same, towns and town meetings bore a marked similitude to each other in Plymouth, Massachusetts, New Hampshire, Rhode Island, New Haven, and Connecticut. In one colony the colonial legislature perhaps interfered more, in another less; there were many local variations; but there was a distinct type of town meeting.

At first the town meeting was held as often as the people had occasion; but the frequent meetings were found so burdensome that selectmen were soon established for the routine business, and the town assembled only three or four times a year; "Town Quarter Day" was the term in Providence. In troubled times the meetings were held more frequently; in the twelve months of 1774–75 the people of Boston assembled on thirty-

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one different days, besides many adjournments from morning to afternoon. Yet, whatever the exigency, the people did not come together of their own motion; an elaborate machinery was provided, partly by custom, partly by law. The selectmen must summon a meeting on the request of a certain number of voters; if they neglected the duty, the next justice of the peace must call it. Two attempts, in 1688 and 1774, by law, to prevent the summoning of town meetings in Massachusetts, were alike unsuccessful. A further preliminary was the circulation of notice by the town constable by personal service from house to house.

Another indispensable preliminary was the "warrant," or list of subjects, to come up at the ensuing meeting. It was headed "In His Majesty's Name;" and by town rules, later enacted into colonial law, no question could be brought before the meeting which was not stated in the list. The voters, however, had not the present privilege of staying away from a meeting if they were not interested in the subjects to come up; town votes often inflicted a fine or other penalty on absentees.

Who could participate in the meetings, when duly summoned? Here comes in one of those complications which make colonial institutions so difficult to understand. There were at least four different kinds of town meeting, and the voters in

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one did not necessarily have the suffrage in another. In the first place many of the towns were founded by a sort of local stock company called the "Proprietary." The members or proprietors originally held all the land in the town, and indeed made up the body of settlers. They assigned tracts of land to themselves, then admitted other persons to the Proprietary, and then sold or granted land to non-members, who had no share in the residue of the undivided lands. The proprietors were summoned by warrant to meetings which in early days were practically town meetings; for nearly a century the "Hundred Proprietors" of Providence and the rest of the community were at loggerheads over these special privileges.

A second kind of town meeting was held by those inhabitants who were freemen of the colony. They had a status in colonial affairs resembling that of the proprietors in town matters; they alone in the beginning could take part in the affairs of the great company, the colony; as that body developed into a commonwealth, they were the only persons possessed of full colonial citizenship, and thus were the only voters for colonial officers. Since all elections must be held in town meeting, special meetings were summoned, at which none but the freemen appeared.

The third and more common sort of meeting was for the transaction of ordinary business, and was from the beginning open to the freemen and

to others admitted by the towns to local citizenship. The distinction between "freemen" and "inhabitants" gradually disappeared in local matters, so that any grown man, born or naturalized in the colony, might acquire the suffrage, provided he had the property qualification. The possession of real estate or of a very considerable personal estate was everywhere a requisite. In at least one case, Boston in 1740, the town declared the payment of a personal tax essential.

The fourth sort of town meeting, in which jurors and county officers were chosen, does not differ much from the ordinary meeting, and that business was usually performed at the ordinary meeting.

The result of the various limitations on the suffrage was that the persons qualified to participate in a town meeting were fewer in proportion than at present. At a very crowded town meeting in Boston in 1734 there were but 916 voters, out of a population of about 15,000; in a ward of the present city of Boston having the same population the vote would now be about 2,300. So long as the towns possessed the right to admit local voters, they often exercised it by preventing people from settling among them and thus acquiring political rights. When William Lincoln in 1671 tried to rent a farm in Lancaster he received the following notice:

"In his maijesties name you are Required to withdraw yourselfe and family, and to depart the

towne forthwith, in Regard the towns men vterly disclames you an inhabitant."

Out of the limited number of persons entitled to participate in town affairs, those who were able and willing to attend constituted a town meeting. The place of assemblage was at first any convenient spot; many of the Providence meetings took place "under the buttonwood tree" or in one of the too numerous taverns. In the earlier and poorer towns the church was the usual place of meeting; but in course of time the well-to-do towns built town houses. The Boston town meeting was frequently obliged, for want of space, to adjourn from Faneuil Hall to a church.

Once assembled the people were called to order by the town clerk. To this important officer, usually chosen in each successive year for a long period, are due the written records from which we obtain most of our knowledge not only of the town meeting, but also of many important colonial institutions.

The next formality was usually a prayer by the minister. The warrant was then produced—if the constable had not forgotten it—and duly read. The character and importance of the business thus indicated differed according to the size of the town and the exigency of the times. In the larger commercial towns like New Haven, Providence, Salem, or Boston, it included rather a wider range of legislation than now comes before the govern-

ment of a great city. In the small farming towns it might be no more than a few items like this:

"These may notifie the propriety of Lancaster that Jonath moor Requests that the Contery Rode or Hiway—may Run by his door in to Hog swampt Rode."

The next proceeding was often the reading of important colonial laws; especially in Massachusetts the "Laws against Immorality" were read for many years before each meeting by order of the General Court. Then came the choice of moderator, who was elected by those present, usually for a single meeting. This was an office which honored any citizen who held it; among the Boston moderators were Sewall, Cushing, James Otis, Sam Adams, and John Hancock. The moderator was chosen by a "handy vote"—*i.e.*, a show of hands—or sometimes by ballot. His duty it was to "consider what is necessarie to be done. And to see that order be atended." In various towns fines were imposed on persons who attempted to speak without the recognition of the moderator.

The title of the chairman suggests that there was often something to moderate. Town meetings were meant for debate, and often tended to turbulence. One of the good citizens of Providence is known to have called another "Jackanapes boy in our Towne meeting." Roger Williams, in

one of those scathing letters in which that excellent man delighted, says to an adversary:

"In all our Towne meetings js jt not notoriously knowne y^t you are so far from being swift to hear & slow to speake (according to God's command vnto vs); y^t what euer is propounded or by whomsoeuer, you are ordinarily y^e first y^t lets fly vpon jt, & betweene yo^r selfe & some other begins y^e Dispute & Contentyon: y^t other neighbo^rs though able, ancient and Experienced, shall scarce find an Interim, to utter thejr thoughts in y^e Case & Business."

Whether stormy or peaceful, the meetings in the country among farmers could not be long protracted; but in Boston the town meeting of 1700, according to Sewall, "Had Candles broke up at 8 [P.M.]. Began at 10 [A.M.]." Meetings were not always so well kept up. Sewall says of the meeting of 1687:

"Town was generally dissatisfied, partly said were not all warn'd and partly at the work it sett, so most of them that were there went away and voted not."

In its procedure the town meeting did much to develop the parliamentary forms now in use in the United States. Petitions were numerous, and indeed furnished a convenient means of bringing a question before the assembly for deliberation. Committees "to consider the matter and to ripen things concerning it," as the Providence town

meeting put it, were freely employed. There is, however, little trace of appeal to technicalities or of endeavor to gain advantage out of involved usages. Debate seems to have been allowed so long as anyone had anything to offer. Little record of the speeches remains; rarely a representative or a petitioner or a candidate for office came in with a set speech, but in general the remarks seem to have been pointed and sensible. Sam Adams was powerful, not as an orator, but as a member of committees.

When debate was ended the question was taken. Usually the vote was *viva voce;* occasionally it was by show of hands; in grave matters "papers," *i.e.*, ballots, were employed. The latter was the method in election of representatives and colonial officers. As the voters grew more numerous it was found necessary in Boston to hedge the ballot about with check lists and other precautions. A distant suggestion of the Australian ballot system is discernible in the motion in 1740 that every man be required to write his name on his paper. About this time there occurred several attempts at ballot-box stuffing. While the Boston town meeting was considering the question of granting a strip of the Burying Ground for an enlargement of Kings Chapel, in 1748, it is recorded that:

"The Inhabitants proceeded to bring in their Votes, & when the Selectmen were Receiving 'em at the Door of the Hall they observed one of the

Inhabitants Viz^{t}: John Pigeon to put in about a dozen with the word Yea wrote on all of 'em."

He was fined five pounds and the vote was taken a second time.

Every proposition mentioned in the warrant and voted affirmatively by the town meeting was binding on the town, and even in cases of very small majorities the minority usually acquiesced. Occasionally, however, a minority protested. Thus, in 1705–1706, that part of the people of Lancaster opposed to the site selected for the new meeting house appealed to the General Court, and thereby succeeded in delaying the settlement of the matter for a year and a half.

So far in the investigation we have reasonably safe grounds for an estimate of the town meeting. There were, however, in those days, as in our own, certain unrecorded and obscure influences which tended to control the popular assemblies, or at least seriously to affect their action. In the first place, the proprietors, where they existed, had undue weight. By 1750, however, this power had nearly everywhere passed away. Under a system which brought the town constantly into contract relations with its own citizens private advantage must often have been a lever in directing the action of a town meeting. Upright old Sewall, in 1711, declined an election as moderator "because of the Treaty that was to be about the Burying

Place." The "treaty" was a pending proposition for the town to buy a piece of his land. In the Providence Town Council, in 1728, the laying out of a highway was abandoned.

"One or two members of y^e^ councill being suspected and, charged by petition, of being interêsted in y^e^ land adjoining where y^e^ highway was laid."

An occasional hint indicates that the preliminary caucus was not unknown, and that "slates" were sometimes arranged. More corrupt influences were little known; the standard of conduct was high, and every man and his opinion were tolerably well known to every other voter.

One of the most obscure points in the history of the colonies is the degree of influence possessed by local magnates in local affairs. In Massachusetts the colonial office-holders—judges, financial officers, and others—exercised a power and patronage which greatly exasperated the popular party and was a very important cause of the Revolution. Many rich men found the only path to civic honors through the uncertain favor of the town meeting. John Hancock was not above cultivating his neighbors with demagogic arts; an interesting instance is his invitation to his debtors to bring in the depreciated currency in payment, because he "preferred" it.

Whatever the influence of office or wealth, there was one individual in each community who was

powerful in town meeting as elsewhere—the minister. He was often the only educated man present and he was armed with his ecclesiastical dignity; his persuasions or his logic must often have changed the votes of town meeting. In 1776, the Rev. Thomas Allen, of Pittsfield, was so energetic in local politics and political sermons that he influenced a county convention to refuse to acknowledge the authority of the courts of the Commonwealth. It is not possible here to discuss that subtler influence of leaders springing out of the less distinguished part of the community, of whom Sam Adams is the type. These men used the town meeting not so much for their own advancement as for instilling great political principles into the minds of the people; they were the first American politicians.

What were the functions of the town meeting? The great importance of the institution lies in its exercise of the three different kinds of authority which appear in the extract at the head of this article. To the people themselves the most important function of the town meeting was the regulation of local affairs, and into them it went with great thoroughness and minuteness.

In 1664 the town of Ipswich solemnly legislated against a well-known canine propensity:

"It is ordered that all doggs for the space of three weeks after the publishinge hereof, shall have one legg tied up. . . . If a man refuse

to tye up his dogg's legg and he bee found scraping up fish in the corne field, the owner shall pay 12s besides whatever damage the dogg doth."

From this record of thorough legislation by the town meeting, it may be interesting to turn to the remarkable political functions which characterized it and of which there is a typical example in the quotation at the beginning of the article. Earliest of recorded powers of this nature is the election of town officers—first, a constable; soon after, selectmen; later, a variety of other officers. Soon the choice of town officers was relegated to one annual meeting, usually the most important of the year. Sometimes the meeting summarily dismissed officers whom it had previously chosen. County and colonial officers were also voted for in town meeting, the votes being sealed up and sent to colonial officials to be counted. For many years jurors were also elected.

One of the marks which most distinguished the colonial town meeting was its right to choose representatives to the colonial Assembly. In all the New England colonies this was one of the functions which did most to make the town meeting a school of national politics. For many years towns in Massachusetts could choose non-residents; but the practice died out. Not only did the towns choose representatives; they instructed them, sometimes in a specific vote, oftener through a committee. No punishment could be inflicted

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on a representative who ignored his instructions, but he was not likely to be re-elected.

These instructions were supplemented by many direct expressions of the town's opinions on public questions. The action of the town meeting of Boston from 1763 to 1775 is a familiar part of the history of our country: it hectored the governor; it appointed agents in London to procure the veto of obnoxious colonial acts; it incited other towns to insubordination; it put forth declarations of the rights and wrongs of the colonists. Nor was such action confined to that period or to the great towns; similar resolutions had been passed nearly a century before. As early as 1687 the town of Ipswich voted that it "was against the rights of Englishmen to have rates laid upon them without their consent in an Assembly or Parliament." At a time when newspapers were infrequent and uninfluential, the town meeting was a nucleus around which crystallized the slow formation of public opinion. From town to town spread an organized opposition, first against the royal governors, then against the King. The instructions to the representatives bade them stand fast. Through the towns it was easy, when the Revolution broke up the old colonial governments, to lay the foundations of a new political system.

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VII.

THE COLONIAL SHIRE.

On the Eastern Shore of Virginia, some months ago, the writer was told that a certain man wished to be elected "Commonwealth for Accomác County." The desired office, it appeared, was that of County Prosecuting Attorney for the Commonwealth of Virginia. The connection in the popular mind between the local office and the state's authority dates back to the earliest colonial history; for Accomác was one of the seven shires created in 1634 by the first American act establishing counties. With the county we are all familiar; the powers of county government, for evil as well as for good, were illustrated by the Tammany Ring frauds, under Tweed's direction, in the County of New York. We have county courts, county commissioners, county sheriffs, county attorneys, county taxes, county regulations. To be sure there are now at least four types of county government in operation: the word means a very different thing to men from Massachusetts, Alabama, Michigan, and Wiscon-

sin. Nevertheless all the varied forms may be traced back to one prototype, the English shire; and the varieties were developed in colonial times. The colonial shire marks therefore a transition, and in the process the shire increased in importance; so that our present counties are more powerful than that from which they sprang.

By the Act of 1634 the seven shires of Virginia were to be "governed as the shires in England." What was the shire which the emigrants had known, and what was its government? The English shire was the principal political and administrative subdivision of the kingdom. It was a judicial district, each shire having a court of its own for minor offences; it was a military district, the able-bodied men in each forming a division of the militia; it was an executive district through which the laws of the kingdom were kept in force, and taxes were collected; it was a legislative district, with the power to tax itself for local purposes, and to make local laws; finally, it was a political division, within which certain officers were elected.

The shire was, of course, not the only self-governing subdivision: there were boroughs and cities and parishes, all laying their own local taxes and having their own local authorities; but the shire differed from them, at the time of the settlement of the colonies, by having lost its earlier popular government. The only direct share of the people in county government was in the as-

sembly of the freeholders—perhaps a tenth of the adult men—to choose two unimportant county officers, and also to choose county members of Parliament, the so-called "Knights of the Shire." The government was in the hands of officers commissioned by the crown. The sheriff collected taxes and executed directions of the courts; the lord lieutenant commanded the milita; but the principal officials were the justices of the peace. Their joint meetings, called "quarter sessions," were not only judicial courts but a sort of local legislature. They levied county taxes and administered the shire. They were usually not lawyers, but the principal gentlemen resident in the county. They probably represented the voters as well as elective officers could have done, and there seems to have been little dissatisfaction with the system in England.

This, then, was the institution which Virginia in 1634, and the other colonies soon after, attempted to transplant. It was quickly seen that the conditions were very different: instead of a dense population with few land-owners and a recognized aristocracy from which to choose justices of the peace, the colonies had large territories, thinly populated, many owners of land, and, except in a few colonies, no permanent aristocracy. The materials for the English county government could not be found in the colonies. Moreover there had been other units of local government estab-

lished before the counties were framed: the towns in New England and the middle colonies, hundreds in Maryland, parishes in Virginia and South Carolinia, were already exercising some of the powers of the English shires. The county came in as a sort of interloper, in some colonies always inferior to the towns, in some dividing power with them, in some putting them into an inferior position, in some driving them out altogether. The English shires were all substantially on the same model, and could be altered with great difficulty; the colonies freely tried experiments and copied from each other. Thus Virginia in 1662 tried to make the shire and parish independent; in 1679 to have a sort of dual shire-and-township government; and later to make the county supreme.

The result of experiment and custom was that at the time of the Revolution there were four distinct types of county government in the colonies, and each of the present States of the Union has adopted one of these types. In New England the county was subordinated to the town. County officers were elected, to be sure, but their powers were few. South Carolina and Maryland adhered in general to this type. It will be noticed that these were all colonies of comparatively small area, with the population gathered more or less closely on the sea-coast or along navigable rivers; and they were all commercial. Local government in divisions smaller than a county was therefore

easy. The New England system still prevails in that part of the country and in some Western states.

The second type of the colonial shire was developed in New York; here there was a county government and in addition a board of supervisors, each member of which was chosen by a township. The system still prevails in New York and has been adopted in Michigan, Illinois, Wisconsin, and Nebraska.

A third form of development is seen in Pennsylvania. Here the towns had at first been superior, but they were afterward subordinated to the county. The most remarkable thing about the Pennsylvania system is that the county officers, although exercising large powers, were nearly all elective. The Pennsylvania model was followed by most of the new Northern states, and has been the most influential in the West.

The fourth type was highly developed in Virginia. It is historically the most interesting to us, because it was least like our present county governments, and most like the English precedent. Hence, the county was the recognized agent for most of the purposes of local government; the parishes existed, but were comparatively unimportant. To this type New Jersey and North Carolina inclined; it still prevails in most of the Southern states and in some of the Western. For the introduction of the system

there is a geographical reason: the plantations were widely scattered, there were no considerable centres of population; a large area, unsuited to town government, must be taken together in order to collect a sufficient population to form a local government. The average population of a Virginia county at the time of the Revolution was probably less than that of a Massachusetts town. Still more significant was the fact that county government in Virginia was out of the hands of the people and exercised by officers appointed by the governor. As in England, so in Virginia, county administration was a reversal of the principle of popular government.

Amid so many variations it is of course quite impossible to describe in detail the form of colonial county governments. Much more than the towns and parishes the shires were subject to colonial legislation. They were created, united, and subdivided, often without their consent. In the New England colonies there were few, in Rhode Island but three; in Virginia, in 1781, there were seventy-four. Nor was there any standard of size. In 1778 Virginia erected the county of Illinois out of the vast region between the Mississippi and Ohio and the Great Lakes, a space now occupied by more than five states, and having a population of fifteen millions. In like manner county offices were created and then destroyed. Besides the general laws prescribing their duties, county of-

ficials were subject to special directions from the colonial authorities. Thus, in 1713, Governor Spotswood of Virginia gave orders that on the next Sunday a proclamation should be "opened, read, and published at the principal church of each parish, immediately before divine service by the sheriffs of the respective counties, their officers or substitutes on horseback." Although there was nowhere any colonial central office for dealing with county officials, their appointment by the governor in many colonies gave the general administration sufficient control. Occasionally special provision was made for their discipline. It was enacted in Virginia that

"Whatsoever justice of the peace shall become soe notoriously scandalous upon court dayes at the court-house, to be soe farre overtaken in drinke that by reasen thereof he shalbe adjudged by the judges holding court to be incapable of that high office and place of trust, proper to inherett in a justice of the peace, shall for his first such offence be fined five hundred pounds of tobacco and cask."

Under the Virginia type of shire government —to a less degree under the Pennsylvania and New York types—the county system tended to strengthen the central colonial government, and particularly the governor's authority.

Had the body of county voters had more power, they might have counteracted the centralizing tendency; but nowhere did they elect all the county

officers; and only in Pennsylvania did the elective officers have considerable powers. The appointive officers were usually worthy men, but the interest of the people in their own taxation and governor was diminished by their inability to change their officers.

There was, to be sure, one institution which might have become a school of political discussion, like the town meeting: in Virginia, Maryland, and New York the people of the county assembled to elect members of the lower house of the colonial assembly. But the voters were few, through the general limitation of the suffrage to freeholders; and they had no power of legislation; the element of patient and general discussion was wanting. Nor was the choice precisely free; it was expected that men of recognized social standing should be selected. A Virginia gentleman, about 1700, wrote to one of his friends that a member elect would "not be allowed to take a seat in the house where none but gentlemen of character ought to be admitted."

One device which might possibly have solved the difficulties of county government was never tried; perhaps an elective county council might have taken the place of the appointed commissioners. In New York there was a representative board of supervisors side by side with the appointive; but the supervisors had no powers except in regard to taxes. The only suggestion of a general

county council which has come under the writer's notice was made by the town of Bellingham, Mass., in 1773, as follows:

"We think it may be proper for the Town to vote that we desire Boston to promote in each Town within this Gov't Subscriptions of Petitions to the Gen Court to make a Law to establish Assemblies in each County to grant County Taxes and do such other Business as is proper for Counties to act, with Restrictions suitable thereto."

The colonial shire officers were much the same in function as those in England; but they had different names, and there was a tendency to increase the number. Still there was never such a multiplication of offices as in the town. The sheriff was the executive officer of the courts, but a separate officer or officers usually received the taxes. His service met with obstacles still familiar in the West. Here are some of the returns made to writs which had been given to Virginia sheriffs to serve:

"Not executed by reason there is no road to the place where he lives."
"Not executed by reason of an axe."
"Not executed because the defendant's horse was faster than mine."

Throughout all the colonies the most important county officials were the members of the board

variously called "commissioners," "court of sessions," and—more commonly—"county court." This board was founded on the English "quarter-sessions," and was the prototype of our present county commissioners. The word "court" does not indicate that its only functions were judicial. To our forefathers a "court" was an assembly, with the power of deciding disputes between its members, and also authorized to pass votes binding on all those entitled to attend. The great commercial companies held "courts," which were only stockholders' meetings. The first legislative assembly in America, gathered in Virginia in 1619, after passing the earliest set of colonial laws, proceeded to try an offender and to sentence him

"To stand fower dayes with his eares nayled to the Pillory . . . and every of those fower dayes should be publiquely whipped."

The county courts possessed a similar combination of judicial, administrative, and legislative authority.

The character of the members of the county boards is therefore a most important element in American government. Their sessions took the place in county affairs of the town meeting in town affairs. Although justices, they were usually not lawyers, but the leading men of their county; in the agricultural colonies they were likely to be the large planters or large farmers; in the com-

mercial colonies, professional men and merchants. They might and often did at the same time hold town or parish or colonial office; indeed the colonial councillors—members of the upper house—were often *ex officio* entitled to sit on the board of the county in which they resided. In Virginia, where the system was most developed, the members had the unwritten right to nominate persons to fill vacancies. Hence arose many struggles with governors who appointed their own favorites. Thus

"Wm. Johnston Gent. being asked whether he would accept & swear to the Commission of the Peace; now Produced, answered, That he would not accept and Swear to sd: Commission because Anthony Stroder, William Hunter, and William Lyne are put in the Commission without a Recommendation from the Court."

As in England, service on the county board was without compensation; but it was an honor much desired. One objection to Mr. William Lyne was that he had begged for a commission from the governor. It was usual to serve for many years, and there was bitter complaint in 1698 because the governor of Virginia

"Renews that commission commonly every year, for that brings new fees, and likewise gives him an opportunity to admit into it new favorites, and exclude others that have not been so zealous in his service."

In Virginia the county court was most developed and had most power, because in that colony most stress was laid on shire government. Whenever the powers of the shire were diminished it was usually the county court which was shorn, and not the sheriff or other county officers. Everywhere the judicial power of the English "quarter-sessions" was retained, and in many colonies extended. In Virginia the county court tried for piracy and treason. Usually the causes were less serious, and often they descended to petty suits over a few shillings or to such criminal cases as the following:

"Geo. Dill fined [by a Massachusetts court] 40^{s} for drunkenes, & to stand att the meeting hous doar next Lecture Day, wth a Clefte Stick vpon his Tong, and a Pap[er] vpon his hatt subscribed for gross p^{r}meditated lying."

The following was the judgment of a Virginia court:

"That if Mister Holmes does not quit worrying Mister Jones and making him curse and swear so, he shall be sent to jail."

The military functions of the shire were also common to all the colonies; it is probable that the first counties were organized in order to provide a defence against the Indians. The militiamen of a shire usually constituted a separate regi-

ment or other military body; and where there was a shire "lieutenant" or "commander" under whom stood the militia, his office was considered the most honorable connected with the county.

The next function of the English shire, the executive and administrative duties, were in some colonies entirely withdrawn from the county government. In most, however, including Massachusetts, the county court or commissions collected taxes, supervised enforcement of colonial laws, and even saw to it that the towns or parishes performed their duties. Nowhere, except possibly in the New York and Pennsylvania types of county government, can the county be considered as a confederation or an aggregate of towns or parishes. The same people were collected both under the town or parish and the county governments; but the counties could not create towns or parishes and could not legislate for them.

Other legislative powers were abundant in counties of the Virginia type, and were not wanting in most of the other colonies. The power of the shires to tax themselves for shire purposes was almost universal; and in one colony or in another, the counties provided for roads, bridges, the poor, prisons, inspection of commodities, the appointment of minor officials, and many other matters.

At the beginning of the Revolution the counties suddenly assumed a political importance which they had never enjoyed before and have never had

since. When the old colonial governments crumbled in 1774–76, the counties formed temporary centres of resistance and even of government. In the Continental Congress of 1774 sat delegates chosen by the counties of New Jersey, Maryland, and Virginia. Many county conventions met and passed patriotic resolutions. The most celebrated instance is the action of the committee of Mecklenburg County in North Carolina, which on May 20, 1775, passed several resolutions to the effect that there was no longer any royal authority in North Carolina, and that the people of Mecklenburg County had no government except the county officers whom they elected. A few years later the people of the County of Kentucky held conventions and threatened to withdraw from Virginia. A very singular and little known episode in the history of the shire is the attitude of Berkshire County, Massachusetts. From 1775 to 1780 it refused to submit to the authority of the Commonwealth. During the whole five years no court was permitted to sit; and threats of secession were openly made.

County government is less important now than it was in colonial times; on the one side state and national legislation reach further into details; on the other side, cities have arisen and have dwarfed the counties. Nevertheless the general acceptance of a system of elective county officers has thrown new powers into the hands of the people; the

precedents set by the colonies have been followed, and the four types of county government have further developed. The great merit of the colonial shires was that they kept alive the spirit of healthy local growth and vitality, without which it would have been impossible either to form or to preserve the Union.

VIII.

THE RISE OF AMERICAN CITIES.

Of late years there have been many able discussions of the problems of city government in the United States.* Most of these discussions, however, have turned upon the forms of municipal

* Of these may be instanced: Von Holst's Constitutional Law, § 102; Bryce's American Commonwealth, chaps. l.–lii.; Woodrow Wilson's The State, §§ 1030–1037; Publications of the American Economic Association, vol. i., Nos. 2, 3, vol. ii., No. 6; Johns Hopkins University Studies, vol. iv., Nos. 4, 10, vol. v., Nos. 1, 2, 3, 4, vol. vii., Nos. 1, 3, 4; Publications of the American Statistical Association, New Series, Nos. 2, 3, 6; W. M. Ivins, in the Political Science Quarterly, vol. ii., pp. 291–312; Seth Low and James Parton, in the Forum, vol. ii., pp. 260, 539; A. R. Spofford's The City of Washington and the Growth of Cities in the United States; Simon Sterne, in Lalor's Cyclopædia of Political Science, vol. i., pp. 460–468; E. L. Godkin, in the Encyclopædia Britannica, vol. xvii., pp. 462–464; Ford's American Citizen's Manual, Part I., pp. 66-83; F. J. Parker's Study of Municipal Government in Massachusetts; Atkinson and Penrose, Philadelphia; R. J. Ely, Taxation in American States and Cities; Wilder, Universal Problem; John Fiske, Civil Government, ch. v.; Census Bulletins, Eleventh Census, Nos. 14, 52, 64, 82, 176, 206.

governments and the dangers discernible in their workings; the existence and growth of cities have been assumed as a matter of course. Nevertheless, the fact that we have so many cities to govern is one of the most astonishing in history. A little more than a hundred years ago, the whole population of the United States was under four millions, of whom hardly a hundred thousand lived in cities. There were in 1890 four hundred and forty-three cities, with a total population of more than eighteen millions. Since 1790, the population of the United States has increased nearly sixteen times; while the cities have increased in number more than seventy times, and the urban population nearly a hundred and forty times.

In the causes and development of this phenomenal growth may perhaps be found an explanation of some of the complicated problems of city government. This essay will therefore be devoted to three inquiries: 1. What causes have determined the sites and distribution of American cities? 2. What has been the growth of their population? 3. What is noticeable about the status and social condition of people in cities?

At the outset, what is meant by the term "city?" The English usage, by which no place is strictly a city which has not a cathedral and a bishop, is no longer applicable even in England. To use the term for every place having a so-called "city" charter would include many an unimpor-

tant Charles City or Falls City. In New England there are often several centres of population still united under the old town government, but the aggregate is not a city in name. For convenience, the definition of the Tenth Census will be adopted: a city is any aggregate of eight thousand or more persons living under one local government.

Before noticing the rate of growth of particular cities, it is desirable to consider what causes have planted and nourished our chief centres of population. The reasons which can be given for the site of most ancient and mediæval cities are here singularly inapplicable. An Athenian or Salzburger suddenly placed in our midst would declare that this strange people had deliberately avoided the most eligible sites, and had exposed themselves to ruin. The intelligent Athenian or candid Salzburger must quickly see, however, that the conditions of life in the New World have been different. Our cities have grown up in a time of peace. Steam-power, artificial roads, and the use of large craft have changed the character of manufactures and commerce. The political importance of cities has diminished, and their commercial importance has increased. Little as he might admire the external appearance of some of our cities, even Alexander or Wallenstein might share the admiration which Blücher expressed when taken through the streets of London after Waterloo: "Mein Gott, was für eine Stadt zum plundern!"

Most ancient or mediæval cities, as Jerusalem, Athens, and Rome, were grouped about a hill; or on an island, as were Paris, Rhodes, and Venice; or on a promontory, as Constantinople; or, if in flat land, they were not immediately on the coast, as London, Pisa, Cairo. The reason was a simple one: they felt themselves in danger of attack, and sought the most defensible situations. It is not too much to say that not one city in the United States owes its growth to its protected situation. Quebec stands like a lion on its rock; but there is not, and never has been, one first-class fortress or citadel within our present limits. So far is this the case that, of the twelve largest cities in the United States, seven are exposed to attack by sea and insufficiently protected.* Military authorities assure us that a bombardment is by no means the serious affair that people suppose. Nevertheless, the prosperity of the coast cities may at any time receive a terrible blow, because other than military reasons have determined their site.

A second great reason for the location of cities applies as efficaciously now as at any former time: it is the convenience of commerce. The sage observation that Providence has caused a large river to flow past every great city is as nearly true now as it was when Memphis, Babylon, and Cologne

* New York, Brooklyn, Philadelphia, Boston, Baltimore, San Francisco, and New Orleans are exposed; even Chicago, Buffalo, and Cleveland are on a frontier.

were built. As nature has determined the position of some cities by furnishing a bold and therefore a defensible site, so she has selected that of others by inequalities in the beds of streams. The site of many American cities is on a river at the head or foot of navigation, usually just above or below a fall. This is the case with Louisville and Buffalo. St. Paul marks the commercial head of the upper reach of the Mississippi, as Troy marks that of the Hudson, and Duluth and Chicago the head-waters of the St. Lawrence. More often the large city grows up at the mouth of a river or near its mouth. This is the case with many of our lake cities, as Cleveland and Milwaukee; so St. Louis stands on the first high land below the confluence of the Missouri and Mississippi; Baltimore owed its early growth to the Susquehanna trade; New Orleans and New York are famous examples of great river towns.

The history of the world has shown that it is much less important for a city to have the length of a great river behind it than to have a good harbor before it. Newburyport at the mouth of the Merrimac, Saybrook at the mouth of the Connecticut, have long since fallen out of the race with Boston on the Charles, Philadelphia on the Schuylkill, and Providence on the Moshassuck. It is the harbor that counts most, and not the river navigation. The further up into the land a harbor penetrates, the more valuable it is. In

America, as elsewhere in the world, the point where the tidal water of an estuary meets the fresh water of a river is marked by nature for the site of a settlement. Hence the foundation of the greatness of London, Hamburg, Bordeaux; hence the importance of Norfolk, Charleston, Baltimore, and Philadelphia. New York and San Francisco alone of our large cities lie at the mouth of an estuary.

The depth of harbors was for many years of less consequence than their accessibility and protection. From the little havens of the Cinque Ports issued the wasp's nest of vessels which protected the coast of England. From Duxbury, Falmouth, and Perth Amboy sailed the East Indiamen of a century ago. The increasing size and draft of seagoing steamers have caused a concentration of trade into the few large and deep harbors, and this is doubtless one cause of the disproportionate growth of the large cities in the United States. As the coast from Nova Scotia to New Jersey contains the best harbors in the North Atlantic Ocean, the cities of that region have a natural advantage over their Southern rivals. On the other hand, the ports from New York to Norfolk, and the lake ports, have an advantage in their nearness to supplies of coal; and the advantage increases as steamers take the place of sailing vessels.

Sixty years ago New England seemed likely to lose her commercial importance, because the

mountains cut her off from direct communication with the West: it is not enough for a place to have a harbor and good communication with foreign countries in order to grow into a city; it must also have direct and easy connection with a rich country in the interior. Verona, though an interior city, has for ages lain at the mouth of the easiest Alpine pass. Trieste is the port for Southern Germany. For the same reason, Baltimore, Charleston, and Philadelphia, Chicago and St. Paul, have had a better opportunity for growth than Boston.

New York, in spite of her magnificent harbor, suffered from a mistake of the geologic forces. A glance at the map shows that the great lakes were meant to drain into the Hudson; and their waters still protest, as they thunder down Niagara, against an unnatural diversion to an estuary frozen one-half the year. To remedy the mistake of nature, the State of New York constructed the Erie Canal, finished in its first form in 1825; and the astonishing growth of the city is the fruit of that undertaking. Philadelphia, Washington, and Richmond vainly tried to imitate this triumph; but Baltimore rivalled it by the early construction of the Baltimore & Ohio Railroad.

The effect of our railroad system has been to make available the best harbors, wherever found, and to make large areas of rich country tributary to the cities upon them. Boston could scarcely

live from New England products alone. New York depends for daily bread on Ohio, Michigan, and Minnesota. Of the seven largest cities in the country, five are the larger Atlantic ports—Boston, New York, Brooklyn, Philadelphia, Baltimore; and they are among the most distant from the centre of food supply. The second city of the seven, Chicago, illustrates another great change in modern, as compared with ancient, commercial conditions: Chicago is a great trade centre. Its site was determined by the fact that a little creek made the most convenient harbor at the head of Lake Michigan; railroads diverged from it, railroads were built to it. It has become a distributing point for the States to the west of it. St. Paul and Minneapolis in the Northwest, St. Louis and Kansas City in the Southwest, owe their growth to the same cause. Their site was determined by their position on rivers, but except the trade down the Mississippi from St. Louis to New Orleans, the western river trade is now of small importance. The present growth of the interior cities is due to the network of connecting railroads.

In the series of commercial reasons just discussed for the growth of cities, there is evident a tendency to concentrate trade. The few places which combine good harbors or a central situation with lake or river navigation, with established trade routes, with artificial means of transit, and

with cheap coal, must more and more gather to themselves foreign and internal commerce. It is for these reasons that New York is and must always be the chief city in the Western hemisphere.

The coast cities, however, owe only a part of their prosperity to their situation as points of exchange for foreign products. We sometimes lose sight of the fact that all our greater commercial cities are also great manufacturing cities. The first nine cities in population are the first nine in value of manufactured products. New York in 1880 led in manufactures of clothing. Philadelphia was second only to Lynn in shoes, and surpassed Lawrence in mixed textile goods. It is not merely that these cities manufacture more because they have more people: they have more people because they manufacture to advantage.

When manufacturing began on a large scale in the United States, certain inland cities grew up, because they had an advantageous water-power. Rochester and Minneapolis, and especially the towns on the Connecticut and Merrimac, owe their prosperity to the shrewdness of men who caused water to fall in an orderly manner through their overshot and turbine wheels, rather than tumultuously over rocks. It is a very singular fact that the advantage of water-power sites for manufactures is at present very slight. A high official in the Amoskeag Corporation—said to be the

largest concern engaged in textile manufacturing in the world — has said that, if Manchester, N. H., the seat of the works, were not already built, it would not be built for the sake of utilizing that important water-power. There are many magnificent mill-sites in the North Carolina mountains still unused and likely to be unused for many years. Where coal is cheap, steam-power is, on the whole, more convenient: hence the growth of Fall River, New Bedford, and Providence; hence, also, the possibility of manufacturing in the large coast and inland cities in competition with the water-powers. We all recognize that Pittsburg owes its prosperity to the soft coal near by; we less often reflect that Baltimore, Philadelphia, and New York enjoy a similar advantage over the New England cities.

The success of manufactures and the consequent distribution of population into manufacturing cities depends, perhaps, less on the natural advantages of a place than on the skill and industry of the people. The great ease of transporting persons over large distances—an absolutely new thing in the history of the world—makes it possible to mass skilled laborers in cities. The coast cities enjoy the advantage of receiving such laborers direct from abroad, and thus in many cases they have the first choice. There is a corresponding disadvantage. Almost all the immigrants into the United States land at one of four ports—Boston, New

York, Philadelphia, Baltimore; and these cities fail to sift into the country beyond, some elements which cause them much perplexity.

For the prosperity of the country it is far less important that population should grow than that it should grow intelligent. In this respect the coast cities have some advantage: the people of the great seaports have always the inestimable stimulus of direct intercourse with the world abroad and at home; hence the population of New York is more likely to absorb new ideas than the population of Lowell or Cincinnati. In manufacturing cities, on the other hand, social and political problems are more difficult. Here it is possible to employ the labor of women and children; the taxes are more likely to fall upon the large corporations, and to be spent by men who have little property; the manufacturing cities, even the smaller ones, are more closely peopled than those whose greater interest is commerce.

A distinct class of cities, numerous and populous, has grown up in the last thirty years, away from the coast and from water-powers, but around mines of coal and metals, or near deposits of petroleum. Of these Pittsburg and its neighbor Alleghany are the most important. Places like Altoona, Cumberland, Scranton, Wheeling, and Lima are rapidly following them. Wherever there is coal, manufactures spring up, and populous cities; around mines of other minerals have grown

sometimes strange and phenomenal places. Pithole, Pennsylvania, once a ragged, unpromising hill farm, became a city of thirty thousand people; and a few years later its handsome brick hotels and banks were inhabited by two people, and its railroad was torn up. A similar fate seems likely to overtake Virginia City, Nev., and may possibly overtake Leadville.

In addition to the geographical reasons which have just been enumerated, there are certain other physical causes which assist the aggregation of people in a particular spot. That place which lies near a good water supply has a better chance of growth; a city which is easily drained ought to be more healthy; and a city which has a beautiful and well-improved site, and a system of parks, attracts people of leisure. These causes have a smaller influence than they deserve: Philadelphia has now more than a million of people whose chief drink is Schuylkill water, and a part of whom grow up in spite of surface drainage. On the other hand, cities with fewer natural advantages cheerfully spend large sums on aqueducts or systems for pumping sewage. The less fortunately situated cities have often the best water and the best pleasure grounds. It is almost inconceivable that, of all the wealthy cities on the Atlantic coast, not one has a water-front park of any size. The growth of the population has been unexpected to itself; and the inestimable privilege of a beautiful sea-

front has forever passed away. With the exception of Washington, Chicago, and Boston, hardly any American city is now making adequate provision for parks for the next generation.*

One of the causes which had most effect upon the growth of ancient and mediæval cities has very little operation in the United States. Corinth, Perugia, Augsburg, were little independent States; Syracuse, Florence, or Nuremberg could, on occasion, put an army of fifty thousand men into the field. The city was the unit of political life: cities grew because the people were freer there than in the country. No such tendency has ever shown itself in America. Beyond a few angry suggestions, during the Civil War, that New York City be created into a separate State, there has been no attempt to make a city a commonwealth; no one moves from Boston to Philadelphia to escape a tyrant's rule; no County Democrat is exiled because Tammany has the upper hand; the cities are subordinated to the States. It is hard to see how it could be otherwise; but that dependence upon the States has brought a danger into our municipal system: the well-meaning people of the cities have come to look to the State government as a *deus ex machina;* they expect more from a change of charter than from a change of heart.

* On this subject there is an interesting monograph by E. R. L. Gould, in the *Publications of the American Statistical Association*, New Series, Nos. 2, 3.

It is probable that if the people of New York City were left to themselves, and could get no relief from Albany, they would have to-day a better, cleaner, and more economical government; and that the much more satisfactory government of Boston would be improved if the responsibility for it were thrown wholly upon the Bostonians.

When a city is once started, it is likely to grow from the mere force of gravitation. It is more than a figure of speech to use the terms which suggest the superior attractiveness of city life. What else is "politics" than what the people of the πόλις do? What is the "urbane" man but the dweller in the *urbs*, and the "pagan" but the unconverted dweller in the fields? Nor is it the higher and more intelligent class which is most attracted by city life: where one person is drawn to a city by schools, churches, concerts, libraries, and theatres, five are drawn by the excitement and stir and activity of a city. One of the greatest problems of modern times is how to get people out of the exhausting or despairing life of cities into the quiet and comfort of villages. And while the country life of Newport, Lenox, and Manchester-by-the-Sea, attracts a certain class for a season annually more extended, an increasing number of well-to-do people leave the smaller towns in which they are first in wealth and influence, to engage in a doubtful struggle for recognition by people of greater wealth and social power in the great cities.

One city in the Union, the most beautiful of all, and the capital of the nation, owes its growth in considerable part to its attractiveness for people who can live anywhere they like.

The importance and the beauty of Washington, however, are chiefly due to another cause of growth, the last here to be discussed. It is distinctly an artificial city, a creation rather than a growth. There have been times when the will of a despot has caused the walls of a new city to rise: Alexander built almost as many cities as he destroyed. The will of the sovereign American people has also established cities, and of these Washington is the principal one. Some city was likely to grow up on the lower Potomac, but that it should be Washington rather than Alexandria is due only to the combination of political forces which determined the site of the national capital, —to the quarrel over the assumption of State debts, the arrival of the North Carolina members, and the compromise arranged between the astute Hamilton and the too-confiding Jefferson. Several considerable cities have been built up in like manner by votes of State legislatures or conventions. Harrisburg would be no more important than Lancaster but for its prestige as the Pennsylvani acapital; Columbus, O., has few natural advantages; Jefferson City, Mo., would be a hamlet if the legislature had never met there. The smaller centres are powerfully affected by such

political distinctions. A few years ago, the people of a Kansas county were seen with arms in their hands settling the location of the county seat, or boldly moving houses from one would-be metropolis to another.

The site of Indianapolis was fixed near the centre of gravity of Indiana; but its growth is due to another artificial cause, peculiar to new countries like America. It is the centre of a great system of radiating railroads; and it has grown, while Cairo, at the confluence of the Ohio and the Mississippi, has decayed. To create a city by converging railroads upon a spot in the wilderness is not always possible; but, when such a centre is formed, it draws population to itself. There was a time when the established towns objected to the noise and bustle of railroads, and compelled them to avoid their limits; for this reason the Boston & Lowell Railroad was obliged to steer between old towns like Woburn and Wilmington. Now towns strive, compete, and tax themselves to bring a railroad; and Woburn and Wilmington are glad to have even branch connections. The location of the first repair and construction shops makes the nucleus of a town or an addition to an existing town. A positive and even whimsical influence has been exerted by railroads in their choice of termini. An interesting example of this power of a railroad over urban growth was shown a few years ago in the building of the Yellowstone

branch of the Northern Pacific. An enterprising man had secured the quarter section at the bottom of the valley where the road must end. Failing to make terms with him, the company took up the upper end of its track, and established its terminus two miles farther down. But in the long run the railroads must go to the cities, and not the cities to the railroads. Racine and Dunkirk are discouraging examples to the company which proposes to create a city by bringing the end of a line of rails to its site.

In their effect upon the older cities, possessed already of inalienable advantages, railroads have been more important than in the creation of new cities. When the Alleghanies were pierced, Western commerce poured down into the termini of the railroads. The keen eye of Calhoun early saw that the ship must come to meet the car, and he earnestly advocated a great railroad from Charleston northwestward. But Baltimore, and a little later Philadelphia, had Western lines years before Charleston or Mobile or Savannah or Norfolk or Richmond, and even before New York, Boston, Portland, and Montreal. The passes now occupied by the New York Central, Pennsylvania, Baltimore & Ohio, and Chesapeake & Ohio Railroads, are as much trade routes as the Suez Canal or the Bosphorus: no rival roads can compete on equal terms; and no neighboring cities can outstrip the termini of these great trunk lines.

Another form of artificial stimulus to city building has had little influence in the United States. A colonized and colonizing country, no cities have been built up by distinct, elaborate schemes of colonization. Settlements like Marietta have not grown to the dignity of cities. Settlements like Rugby have failed for want of adaptation to the circumstances.

The principles upon which the growth of cities depends, as described in this essay, may perhaps be seen more clearly by applying them to a few specific cases. New York was first settled because it was an island—a state of things which the people have since attempted, at great cost, to remedy. It is susceptible of defence against modern forms of attack, though at present its defences are little more substantial than that fear of torpedoes and rumor of a novel steam craft which kept the British out in 1814. It has the best deep harbor on the Atlantic coast, easy of access for the largest vessels in the world. It is the Mecca of most imports. It lies at the end of a magnificent chain of internal navigation, reaching to Chicago and Duluth, and it is the centre of some of the greatest railroad systems in the world. Furthermore, it is the recognized financial centre of the United States. Commercially, therefore, it has no rival in the United States, and can never have any till the hills sink down behind Boston and Philadelphia, as they do in the Mohawk Valley. The

nearness of coal, and the abundant supply of labor of all kinds, give it a great advantage as a manufacturing city. New York, with its adjuncts, Brooklyn, Jersey City, and other near cities, has nearly three and a half million people, and is already the second centre of population in the world. It has few artificial advantages: it is not the capital of the State or nation; it is divided by arms of the sea from two of its three systems of railroads; it does not attract people by the character of its government. It is the largest city because it has the largest opportunity.

Boston, despite its great natural advantages, is a great city chiefly because of the character of its leading men. Like New York, it is defended from foreign enemies only by a sense of what is proper among gentlemen. The harbor is fine, though not easy to enter for large vessels. Its eminence depends less on the Western business than on the fact that it is the supply point for considerable parts of New England. Indeed, it is the intimate connection with the business of all New England which makes Boston so important: as a manufacturing centre it is first in nothing, and only third in curried leather and women's clothes. But it is the centre of administration for the New England mills, and every yard of goods manufactured pays its tribute. It gets its share of immigration from abroad, and more than its share of people from other communities in the United States. The

natural beauty of the city is an attraction, greatly aided by the park and other improvements. More than any other city in America, it draws people to it by the excellence of its schools and libraries, and by the public spirit of its citizens.

Chicago is great both from natural and artificial causes. It is not exposed to foreign attack. The head, in that direction, of the magnificent lake water-ways, it is practically the Western terminus of the Erie Canal, and the most important station on the great trade route from New York to the Pacific Coast and Eastern Asia. Still more important, and the foundation of the wealth of Chicago, is the great valley of the upper Mississippi, the most fertile large area now occupied by man. Special manufacturing advantages it does not possess, save that Ohio and Pennsylvania coal form a return cargo for its grain fleet. These commercial reasons completely compensate for the natural disadvantages of the place, and the tremendous energy and skill of the people of Chicago have made it, and will keep it, the second city in the Union. It was this energy which early caused the railroads to stretch out like *antennæ* to the West, and which then foresaw the necessity of a like connection with the East. It is fortunate for the people of the city, and of other cities likely to imitate it, that this restless vigor is now hastening to beautify a city of which the site has few natural advantages. Handsome houses, beautiful

parks, imposing public buildings, great libraries—in these Chicago bids fair to surpass most of her older rivals: and in the Columbian Exposition Chicago has become the teacher of the nation in architecture, as in energy.

The second series of questions to be examined in this essay concerns the numbers of the people in American cities.*

The total number of "cities" within the census definition—an aggregation of eight thousand or more persons living under one local government—is shown in the Appendix. The increase has been much more irregular than that of the total population of the country. From 1790 to 1840, the increase was comparatively slow. In the next decade, 1840–50, as many cities were added as in the previous half-century. The explanation is to

* On this subject, the most valuable source is, of course, the Census Publications. Mr. E. C. Lunt, in the *Key to the Publications of the United States Census*, 1790–1880, published in 1888 by the American Statistical Association, has prepared a valuable comparative index to the forty odd volumes and to much other statistical literature. For the purposes of this paper, four volumes of the Tenth Census (1880) are especially useful. They are: Vol I., on Population; Vol. II., on Manufactures; and Vols. XVII. and XVIII., on Social Statistics of Cities. A part of the tables are reproduced in the briefer *Compendium of the Tenth Census*. Some of the material is restated in Scribner's *Statistical Atlas*, with illustrative charts (New York, 1885). From the Eleventh Census of 1890, we have as yet only the partial bulletins, especially No. 52.

For cities outside the United States, the most convenient summaries are found in Mulhall's *Dictionary of Statistics* (ed. of 1891).

be found in two facts,—the development of the first system of Eastern and trans-Appalachian railroads, and the beginning of immigration on a large scale.* The same causes increased the cities from 85 to 141 during the decade 1850–60. The Civil War rather stimulated than retarded the growth of cities of all sizes, and raised the total number by 85. A steadier growth of 60 in the years 1870–80 made the total of 286; in the next decade, 1880–90, the number increased by more than one-half, to 443.

In the same appendix (Table I.) is found a classification of cities by size. Nearly two-thirds (278) may be classed as small cities, having less than 20,000 people. The cities of medium population, from 20,000 to 40,000, make up about one-fifth of the whole number. The large cities, having more than 40,000 people, were 74 in number in 1890, and have been for some decades pretty steadily a sixth of the total number.

The change in proportions has brought about a corresponding change in the average size of our cities.† In 1800, it was 35,000. In 1850, it had fallen to less than 32,000. In 1890, it was 41,000. Or, to state it in other terms, the medium and large cities attract more than their share of the total

* The railroad mileage was, in 1830, 23 miles; in 1840, 818; in 1850, 9,021. Immigration rose from 23,322 in 1830 to 310,004 in 1850.

† See Appendix, Table II.

growth of city population. In the Eastern and Middle States, the formation of centres of population is about completed. Henceforth population will grow about them rather than form new nuclei.

The 443 cities in 1890 are, of course, to be found most abundantly in the most populous parts of the country—New England, the middle coast States, the region just south of the Great Lakes. But the distribution of cities is far from being the same as that of the population. New England, with less than one-thirteenth of the total population of the country, has quite one-fifth of the cities and about one-eighth of the urban population. New York, New Jersey, and Pennsylvania, taken together, contain one-fifth of the people of the United States, about one-fourth of the cities, and two-fifths of the urban population. The six coast States from Virginia to Florida contain one-ninth of the population, one-fifteenth of the cities, and one twenty-fourth of the urban population. In 1890, as many people lived in Brooklyn alone as in all the cities of those six States. A still more striking contrast exists between New Jersey and Mississippi. The two States had in 1880 almost exactly the same population (1,100,000). Of these there lived in New Jersey cities, 500,000; in Mississippi cities, 11,814.

Not only do the large cities gain on the smaller, but the cities, as a whole, gain fast on the popula-

tion outside of the cities.* In 1790, the city population was but one thirteenth of the total. In 1860, it was 5,000,000 out of 31,000,000, or nearly one-sixth. In 1890, it was 29 per cent. This is a most significant and fundamental fact; for it means a gradual change of the basis on which our institutions rest. The republic was founded for a country largely agricultural, with a diffused population, having means of easy subsistence. It will soon need to stand, and will stand, for a population of which one-half lives in towns of 4,000 inhabitants or upwards. The present proportion of urban population is by no means alarming. It is, to be sure, more than that of Italy, or France,† and is not much under that of densely populated Belgium or Holland. But it is rather less than that of Australia, where the conditions are very similar, and about half that of England. Improved methods of agriculture, systematized transportation and distribution, make it possible to feed and to keep in content masses of population which would have broken down any mediæval government.

Next in importance to the question of the total population in cities is the question of the comparative growth of great cities.‡ Here, as in the

* See Appendix, Table II.

† An elaborate comparison is made in Mulhall's *Dictionary of Statistics*, p. 36.

‡ The statements in this and succeeding paragraphs are based on

former case, may be clearly seen the effect of the development of water-ways from 1820, and of railroads from about 1830. Up to 1820, Philadelphia was the first city in the Union; and in that year it was found to be the first American city having a population of more than 100,000—a distinction shared with twenty-seven others in 1890. The Erie Canal was finished in 1825: the effect is seen in the rapid leap of New York from 108,000 in 1820 to 209,000 in 1830. Thenceforward it has been the undisputed metropolis of the Union. By the census of 1890 New York had 1,515,000 people. This is generally considered an understatement, and the growth of the three years from 1890 to 1893 must have brought the total up to a number little short of two millions, or about as much as the population of all the New England and Middle States in 1790. Philadelphia has kept a steady upward course, and numbered in 1890 more than a million. But Philadelphia, unlike New York, has greatly extended her limits of late years, and thus has swept in adjacent centres of population.

Brooklyn is a phenomenon among the world's cities. Lined with wharves, it can hardly be called a commercial city; abounding in factories, it is not eminent for manufactures. Its independent life is dwarfed by that of its great neighbor;

the Tenth Census, Vol. I., Population, and on the Eleventh Census, Bulletins Nos. 52,357.

and the social and political activity of this city of 806,000 people is decidedly less than that of its nearest rival, Chicago. The table shows clearly the rocket-like growth of this latter American wonder. In 1820 Chicago had no population worth considering; in 1840, it timidly appears in the census with 5,000. Lake navigation, the stimulus of Eastern and Western railroads, the Civil War, the control of the trade of the great North-west, have brought Chicago up to the second rank of American cities, from which it is not likely ever to be displaced.

St. Louis now slightly surpasses Boston in numbers. Its growth has been retarded by the slower development of the South-west as compared with the North-west, and by the decline of the Missouri navigation and the decay of the Mississippi trade. New Orleans has suffered from the same cause.

The next two cities, Baltimore and Boston, have been close rivals in population for a hundred years; they have been much alike in situation, in relation to the country back of them, and in enterprise. Boston had 18,000 to Baltimore's 13,000 in 1790. From 1800 to 1870, Baltimore drew ahead. In 1880, notwithstanding the fire of 1872, Boston had taken a leap, and maintains what seems likely to be a permanent superiority.

Besides the cities mentioned, there are three centres likely henceforth to be of very great importance. San Francisco, in 1890 the eighth city

in the Union, enjoys the only really good harbor between Puget Sound and the Straits of Magellan. Were the fertile country back of it as broad as that back of New York, it would rival the metropolis. It must certainly become one of the world's great cities. Kansas City has advanced from 32,000 in 1870 and 56,000 in 1880 to 133,000 in 1890. By its direct connections eastward, it is drawing business which would otherwise go to St. Louis, and is becoming an intermediary of the South-western trade. The same state of things exists in the North-west. St. Paul and Minneapolis together had 33,000 in 1870, 58,000 in 1880, and 300,000 in 1890. They have thrust themselves between Chicago and the far North-west, and are likely to form one of our greatest cities. They, too, have secured direct Eastern roads; but, as these roads pass through Canada, the rapid growth of the dual city is leading to serious complications of international trade. A growth such as these cities show is without parallel in the history of the world. The same influences of railroads and of vast movements of commerce, have been at work abroad. London, Berlin, Paris, have gained enormously; but Paris, which may have at present a population of 2,300,000, had 550,000 in 1800, and nearly 2,000,000 in 1870.*

In this eager current of growing population there are some eddies. Even in America, some

* *Encyclopædia Britannica*, 9th edition, vol. xviii. p. 277.

considerable cities are stationary or moving backward. This has been the case with some of the smaller New England seaports, and would have been the case with all, but for the sagacity of the New England men who turned into manufactures the profits of the India trade and of whaling. In 1870, Newburyport had 11,000 to Brockton's 8,000; in 1880, Brockton had gained 19,000, and Newburyport but 2,000. Milford, Mass., in the two decades, 1870–1890, fell off from 9,900 to 8,800. Oswego, N. Y., has gained only 500 in twenty years.

That the tremendous growth of our cities, particularly of the greater ones, is very unfavorable for municipal government, hardly needs assertion. The increase of numbers means that the people and the city government never keep pace with their own necessities. Cities outgrow their charters, as boys outgrow suits of clothes. The digestive organs of the civil body are constantly overtaxed; comprehensive schemes of improvement become too small. New-comers never feel the same pride, the same sense of ownership and responsibility; and the influx of strangers hastens that crowding of experienced men out of public life which is one of our most disagreeable public ills. But the problem must be met. The good citizen of Boston must make plans for a population of a million, and for a growth of municipal skill sufficient to control that number. New York must maintain a popular

government able economically to care for four millions. The danger to free institutions keeps pace with the growth of the population of great cities.

The third part of our inquiry relates to the derivation of city population.* There are three sources from which our cities are fed: first, from their own natural increase; second, from an influx of native Americans from outside; third, from an influx of foreigners. A fourth element, which needs to be taken into account in some cities, is the colored population, which corresponds in many respects to the foreign element.

The proportion of foreigners to the total population of the country was in 1890 about 15 per cent.; but the proportion in the 124 cities and towns of 25,000 and upward was no less than 29 per cent. In other words, cities and towns, which contain about one-fourth of the population, have nearly half the foreigners. The proportion holds good throughout the various groups of cities. In 1880 the medium cities of 75,000 to 200,000, taken together averaged 27 per cent; while the smaller cities, from 75,000 to 40,000, average only 24 per cent. This relative disproportion no longer appears.

* The figures following are based on the Tenth Census, Vol. I. (Population), and the Eleventh Census Bulletins, Nos. 52, 83, 100, 165, 357. In the original article is also a table of predicted populations, which shows the difficulty of estimating the growth of cities between Censuses.

The case is even worse with certain individual cities. Boston had 30 per cent. in 1880 and 33 per cent. in 1890. New York in 1880 had 40 per cent., a proportion increased, on the face of the Census of 1890, to 42, and probably even larger than the figures show. In some of the New England factory towns, the foreigners were as many as 48 per cent. In Holyoke and Fall River, Mass., they had increased to about 50 per cent. in 1890, and are probably increasing. Chicago has been popularly supposed to be more than half foreign, but the Census of 1890 shows only 40 per cent., or less than New York.

The absolute numbers of foreigners in cities vary in ratios widely different from their total population. Thus in 1890 Atlanta and Cambridge had almost the same population. In Atlanta there were 1,871 foreigners, in Cambridge 23,851. The foreign populations of Manchester, N. H., and Washington were about the same, but the latter city has more than five times as many people as Manchester. Of the smaller cities, Bay City, Duluth, and Paterson are notable for large numbers of foreigners. The great interior cities, St. Paul, Minneapolis, Milwaukee, Detroit, Cleveland, Buffalo, Cincinnati, had within their borders each from 50,000 to 100,000 foreigners. St. Louis has 115,000, San Francisco has 127,000. But these numbers are insignificant beside the 158,000 of Boston, the 267,000 of Brooklyn, the 269,000 of Philadelphia,

and the vast multitudes of 450,000 in Chicago, and 640,000 in the city of New York.

If we go a little farther into the details of nativity,* some curious facts appear as to the preferences of different peoples for particular cities or kinds of cities. The Orient sends 25,000 to San Francisco, but only about 6,000 to the fifty other cities of greatest population, taken together. The Scandinavians show no preference for the great cities, except Chicago, St. Paul, and Minneapolis; elsewhere they are as frequent in the country as in the towns. In the ten largest cities dwell 775,000 Germans, who make up 11 per cent. of the population. This is nearly thrice their average throughout the country. Boston is least beloved by them; New York, Chicago, Brooklyn, St. Louis, and Cincinnati most. There are more Germans in New York than in Leipsic. A fourth of all the French in the United States may be found in the ten great cities, which have but a tenth of the total population. Of the 1,870,000 Irish, no less than 625,000 inhabit the same ten cities; and 270,000 more dwell in the next forty cities. Nearly half the number of this race have therefore chosen cities of more than 55,000 people. Within the ten cities, one person in thirteen is Irish; outside them, one person in thirty-three. The natives of Great Britain are as frequent outside the cities as in them. Of the 980,000 British Americans in

* See Appendix, Table V.

the country, few are found in large cities, but a much greater number in the smaller manufacturing places, where the French Canadians congregate. The Russians, Hungarians, Bohemians, Poles, and Italians were few in number as late as 1880. Since that time there has been a great immigration of all these races. In New York there are 49,000 Russians; in Cleveland, 10,000 Bohemians; in Chicago, 34,000 Poles; in Brooklyn, 10,000 Italians. These are examples of many such colonies, in which few persons understand English.

It is evident from the above analysis that the large cities, which most need efficient government, are precisely those which receive an undue proportion of immigrants; and they are, moreover, most attractive to those immigrants who are least accustomed to self-government and least amenable to mild restraint.

That ignorant immigrants are not the only hindrances to good city government is shown conclusively in the case of Southern cities. New Orleans, though a seaport of large trade, has but 14 per cent. of foreigners. Baltimore, by far the largest and most energetic of Southern cities, has but 15 per cent. In all these cities, the colored element takes the place of the foreign. The native white population of Baltimore is about the same in proportion as that of Boston—a little over two-thirds of the whole—and smaller in proportion than that of Philadelphia, where it is nearly three-fourths. In

a few of the smaller Southern cities, the blacks actually outnumber the whites. This is the case with Selma and Montgomery, Alabama; with Wilmington, North Carolina, where the black population in 1890 made up about 56 per cent., and notably with Charleston, where they were about 60 per cent. For reasons better understood in the South than in the North, the negro vote seems to cause little difficulty in municipal elections.

The proportions of foreign and of colored elements have been much studied. Less attention has been paid to the very important question, How many dwellers in cities were born in other parts of the United States? For a definite answer to that inquiry, figures are not attainable. But the Census of 1880 showed how many people in each of the greater cities were born in another State than that in which the city is situated. As people born in a city who afterward reside elsewhere, to some extent offset those born within the same State who afterward came into the city, these figures may be taken as representing approximately the drift of the native born toward the cities.*

The great cities which have proved most attractive to people from other States are Chicago and Boston. While such American immigrants formed in 1880 but one-fifteenth of the population of New York and one-ninth of that of Philadelphia, they made one-fifth in Chicago. The case of Boston

* See Appendix, Table IV.

is even more striking; 52,000, or one-seventh of the population, had been born in other States than Massachusetts. The census for Massachusetts for 1885 shows that 40,000 people have come into that city from other parts of Massachusetts. The astonishing result is that of 362,000 people at that time in Boston, only about 135,000 were born in the city itself; 90,000 were native Americans, elsewhere born; and 114,000 were foreign born. The city most remarkable of all for this magnetic quality is Washington. Of the native whites living there in 1880, one-third were born outside the city.

The movement thus vaguely indicated is only one of the three great elements in the rapid growth of the cities—a rapid natural increase, due to easy conditions of life; a rapid immigration; and an influx from the surrounding country. But the first two of these causes harm only the cities themselves: if a city's children increase faster than its schools and workshops, the curse falls on the city; if immigrants outvote and control the native whites, the injury stops with the city limits. The farmer's boy or the mill-hand who comes to the city brings force and energy, of which he deprives another part of the country. The cities draw not only the worst, but the most promising elements. The desertion of the New England hill farms is due chiefly to the better opportunities of the city. The nation gains, for the same persons

have a larger field; but the process means that the political control of the farmers must some time fail, and that the people of the cities are eventually to be the great controlling force in the affairs of the nation.

From the statistics analyzed in the preceding paragraphs, it is evident that in no important American city is there any danger that the foreign will outnumber the native-born element. Even in New York the proportion has risen little above forty per cent. Nevertheless, a closer examination will show conclusively that most of the great cities are now dominated by foreigners, and will be dominated by their descendants. In Boston, for example, there were, in 1885, 275,000 persons American born to 132,000 foreign born; but 137,000 of the natives were minors; while of the foreigners only 12,000 were minors. The number of foreign-born and native adults of voting age was almost exactly the same for each element. The children of the 120,000 foreigners are certain in the future to be as numerous as those of the natives. Indeed, the 120,000 native-born persons must include thousands of sons and daughters of foreign parents. The future of Boston, therefore, depends not upon the children of the Puritans, but upon the children of the stranger.

The excess of adults over the normal proportion in our cities is indeed startling. In the United States, as a whole, notwithstanding the large im-

migration of adults, the number of persons between the ages of fifteen and twenty is still larger by a fourth than that of persons between the ages of twenty-five and thirty.* In Boston, however, the number of persons aged from twenty to twenty-nine years is greater by 18,000 than that of persons aged from ten to nineteen years.† We should know without statistics that this must be the effect of immigration. The statistics tell us of the thousands of recruits from the country and the many more thousands from abroad. At every age, adult foreigners in Boston are hardly less numerous than adult Americans; and from the ages of forty to sixty they are more numerous. That government is not entirely in the hands of foreigners is due to the fact that they are of many nationalities, and cannot be brought into the same parties or political combinations. In New York, however, the domination is much more evident, both because of a higher state of political barbarism and because of greater relative numbers. The appended Table VI. shows in round numbers the state of things in 1875. At all the ages above twenty-nine the foreigners are vastly more numerous. Of five persons above the age of thirty-five years whom one might meet hap-hazard on the streets in 1875, the chances were that four were born abroad. That the leaven of the American system of gov-

* Tenth Census, I., 548, 549.

† See Appendix, Tables VI. and VII., for figures on this subject.

ernment working in this mass can keep the body politic from decay, is a most striking proof of the power of an intelligent minority and of free institutions.

In the cities, as in other parts of the country, the proportion of foreign-born persons must very soon decrease. The stream of immigration in the fifties added two and a half per cent. yearly to our numbers. At present, though still great in volume, it adds less than one per cent. It is probable that New York will never again have such a large proportion of foreigners. But it must be admitted that, it is the children of foreigners who are next to assume control, and their children who will maintain it. The precise statement as to the number of native persons in New York City, one at least of whose parents was a foreigner, is not yet made public. It is probably not far from one-half the population. New York, then, in 1890, must have had seventy per cent. to eighty per cent. of foreigners and children of foreigners. The wealth and greatness of the city distinctly show that energy and skill are not confined to the native elements. The real question seems to be how far the sons of foreigners will become Americans, how far they will adopt the language, habits, interests, political aptitudes, which are presumed in the citizens of a free republic. In New York in 1890, besides the 190,000 Irish, the German, Scandinavian, and English elements were about 300,000.

There seems reason to hope that the last three groups, at least, will speedily be absorbed, and that their children will be Americans, and nothing else.

Inspection of the tables showing the status of Boston and New York brings out a very remarkable phenomenon. As in many parts of the East, the women decidedly outnumber the men; but this excess is due almost entirely to foreigners. In Boston the native males in 1888 were 127,500, and the native females were 130,500. The foreign-born males were 59,000, and the foreign females 73,600. Or, to put it into more popular form, two American girls out of a hundred could find no American husband; but thirteen foreign-born girls out of a hundred could find no mate among foreign born men. Not only is this excess peculiar to the foreign element, but is especially noticeable in the ages from fifteen to twenty-nine. In New York, the surplus of foreign-born women over men between those ages alone was 17,000. The only plausible explanation is that large numbers of foreigners come into the cities to enter domestic service; and that in large manufacturing cities there is more employment for the poorly paid labor of women than is possible in smaller places. A still more unaccountable complication in New York is the excess by 5,000 of native girls of fifteen to nineteen over boys of the same age. It is not possible from the statistics to learn

whether this is caused by an exodus of young men or by the coming into the city of American girls.

The questions both of age and of sex have a serious bearing on the welfare of cities. At present the great cities have an abnormal proportion of adults. During the next forty years the proportion of children will steadily increase. Schools already crowded, and systems of education which ought to be outgrown, will become even more inadequate. The great problem how to deal with homeless children will be still greater. The excess of foreign-born women will have an important bearing on the new question of woman suffrage. The effect of that change, if carried to its full and logical extent, must inevitably be still further to increase the proportion of the foreign vote.

Allusion has already been made to the political effect of the colored population of Southern cities. The social effect is even more marked. There is, of course, no prospect that the dark race will be absorbed; and the problem is therefore a permanent one. Even in cities like New York or Boston, in which not one person in sixty is colored, distinct colored quarters have been formed and will be continued. In the Southern cities there is a lack of that harmony of feeling between the races which is the essential of stable society, and especially of good government.

We may now summarize briefly the conclusions

reached in this study of the conditions of city planting and city growth in the United States:

The situation of cities depends chiefly on natural causes; but, once planted, the larger places have power to profit by artificial stimuli, such as immigration and railroads.

The great cities of the future must grow up out of present cities, large or small. There will be no more surprises.

The tendency of systematized transportation is to cause the larger cities to gain faster than small ones.

The tendency of modern life is to cause the urban population to gain faster than the general population.

Since no sufficient pains has been taken to provide for the future, crowding and its associated evils are likely to be more prevalent.

Most foreign elements will eventually be absorbed; but the effects of their former existence will be seen in a type of character in cities different from that found in country regions.

The children of the present foreigners, and their descendants, will be the rulers of future cities; and the great unsolved problem is, What are they to be?

Hence the hope of the cities is in the generation to come, and the best service that a reformer can render is to aid in putting right examples and right principles into the minds of the children.

STATISTICS ON THE POPULATION OF AMERICAN CITIES.

Table I.—Number of Cities, 1790–1890.*

	8,000 to 12,000	21,000 to 20,000	20,000 to 40,000	40.000 to 75,000	75,000 to 125,000	125,000 to 250,000	250,000 to 500,000	500,000 to 2,000,000	Total.
1790..	1	3	1	1					6
1800..	1	0	3	2					6
1810..	4	2	3	0	2				11
1820..	3	4	2	2	2				13
1830..	12	7	3	1	1	2			26
1840..	17	11	10	1	3	1	1		44
1850..	36	20	14	7	3	3	1	1	85
1860..	62	34	23	12	2	5	1	2	141
1870..	92	63	39	14	8	3	5	2	226
1880..	110	76	55	21	9	7	4	4	286
1890..	173	105	91	35	14	14	7	4	443

Table II.—Comparison of Urban and Rural Population, 1790–1890.†

	Total Cities 8,000.	Total Urban Population.	Total Population.	Percentage of Urban to total.
1790	6	131,472	3,929,214	3.4
1800	6	210,873	5,308,483	4.0
1810	11	356,920	7,239,881	4.9
1820	13	475,135	9,633,822	4.9
1830	26	864,509	12,866,020	6.7
1840	44	1,453,994	17,069,453	8.5
1850	85	2,897,586	23,191,876	12.5
1860	141	5,072,256	31,443,321	16.1
1870	226	8,071,875	38,558,371	20.9
1880	286	11,318,547	50,155,783	22.6
1890		18,235,670	62,622,250	29.1

* From Tenth Census (1880), I. xxix; Eleventh Census (1890), Bulletin No. 251, p. 4.

† Compiled from the Tenth Census (1880), I. xxix, xxx, 670, II. xxii; Tenth Census Compendium, I. 8; Eleventh Census, Bulletin No. 52, p. 2.

TABLE III.—ORIGIN OF URBAN POPULATION OF FIFTY LARGEST CITIES IN 1880.*

	Foreign Born.	Born in State.	Born in U. S. out of State.	Total Native.	Total Population.
1. New York	478,670	647,299	80,330	727,629	1,206,299
2. Philadelphia	204,335	554,449	88,386	642,835	847,170
3. Brooklyn	177,694	344,324	44,645	388,969	566,663
4. Chicago	204,859	197,728	100,598	298,326	503,185
5. Boston	114,796	196,256	51,787	248,043	362,839
6. St. Louis	105,013	173,453	72,052	245,505	350,518
7. Baltimore	56,136	242,050	34,127	276,177	332,313
8. Cincinnati	71,659	151,447	32,033	183,480	255,139
9. San Francisco	104,244	78,144	51,571	129,715	233,959
10. New Orleans	41,157	151,086	23,846	174,933	216,090
Ten largest cities	1,558,563	2,736,236	579,375	3,315,612	4,874,175
11-15. Five cities,—Cleveland, Pittsburg, Buffalo, Washington, Newark.	209.854	419,819	125,797	545,616	755.470
16-24. Nine cities of 125,000 to 75,000	265,241	511,949	138.936	650,885	915,126
25-45. Twenty-one cities of 75,000 to 40 000	255,616	622,965	181,410	804,375	1,059,991
46-50. Five cities below 40,000	41,673	96,666	50,802	147,468	189,141
Fifty largest cities	2,330,947	4,387,635	1,076,320	5,463,955	7,793,903

TABLE IV.—STATUS OF THE POPULATION OF NEW YORK CITY, 1875.†

AGES.	MALES.		FEMALES.	
	Total.	Native.	Total.	Native.
Under 5	63,000	63,000	61,000	61,000
5 to 9	55,000	51,000	55,000	51,000
10 to 14	48,000	42,000	49,000	43.000
15 to 19	50,000	40,000	58,000	45,000
20 to 24	48,000	29,000	59,000	32,000
25 to 29	49,000	19,000	56,000	20,000
30 to 34	46,000	14,000	45,000	14,000
35 to 39	41,000	11,000	39,000	10,000
40 to 44	34.000	8,000	33,000	17,000
45 to 49	26,000	6,000	24,000	5,000
50 to 54	21,000	5,000	21,000	5,000
55 to 59	11,000	3,000	11,000	3,000
60 to 64	9,000	2,000	11,000	3,000
65 to 69	4,000	1,000	6,000	2,000
70 to 74	3,000	1,300	4,000	1,000
75 to 79	1,500	500	2,000	1,000
80 to 84	700	300	1,300	500

* Compiled from the Tenth Census, 1880, I. 536–539. Similar figures from the Eleventh Census are not yet attainable.

† Compiled from the Census of New York, 1875, pp. 117–119. Similar figures are not obtainable from the Tenth Census (1880), or from the published Bulletins of the Eleventh Census.

Table V.—Derivation of Foreign Population, 1880.*

	The East.	Europe.								British America.	Spanish America.	Total.		
		Scandinavia.	German Empire.	Magyar and Slav.	Latin Races.	England and Wales.	Ireland.	Scotland.	*Total British.*			Foreign.	Native.	Population.
1. New York	1,291	5,190	163,482	25,765	21,254	30,593	198,595	8,683	237,935	7,004	3,034	478,670	727,629	1,206,299
2. Philadelphia	338	1,166	55,769	1,260	4,610	26,995	101,808	5,696	134,522	2,354	977	204,335	642,835	847,170
3. Brooklyn	390	4,536	55,339	921	4,613	20,749	78,814	4,682	104,291	4,363	1,213	177,694	388,969	566,663
4. Chicago	455	24,273	75,205	18,644	3,704	13,767	44,411	4,152	62,374	13,914	303	204,859	298,326	503,185
5. Boston	394	1,902	7,396	892	2,666	9,219	64,793	2,662	76,729	23,156	215	114,796	248,043	362,839
6. St. Louis	156	960	54,901	3,354	4,581	6,453	28,536	1,309	36,309	2,091	185	105,013	245,505	350,518
7. Baltimore.....	64	308	34,051	1,932	954	2,372	14,238	591	17,211	450	359	56,136	276,177	332,313
8. Cincinnati	102	118	46,157	678	3,006	4,465	15,077	650	19,202	1,182	70	71,659	183,480	255,139
9. San Francisco...	22,618	3,521	19,928	1,463	9,158	7,795	30,721	2,243	40,772	3,860	2,273	104,244	129,715	233,959
10. New Orleans....	183	362	13,944	200	14,697	1,833	11,708	426	13,970	368	526	41,157	174,933	216,090
Total for Cities, 1–10	25,991	42,436	379,172	55,109	69,343	124,241	588,691	32,094	322,315	58,742	9,155	1,558,563	3,315,612	4,874,175
Cities..... 11–15	262	1,020	90,735	9,387	3,577	26,114	59,277	5,237	90,675	11,642	261	209,854	545,616	755,470
Cities..... 16–24	426	2,782	113,860	7,458	4,378	16,522	7,126	7,116	103,105	20,894	250	264,641	650,485	915,126
Cities..... 25–45	552	11,401	52,541	3,617	3,363	36,162	104,163	7,175	147,858	35,027	504	255,616	804,375	1,059,991
Cities..... 46–50	376	6,238	9,142	296	8,783	6,163	15,392	1,479	23,134	7,139	214	41,673	147,468	189,141
Total, 50 Cities.....	27,607	63,877	645,450	75,867	89,444	209,202	774,649	53,101	687,087	133,444	10,384	2,330,347	5,463,556	7,793,903
In all U. S.....	108,835	440,262	1,966,742	181,366	281,171	745,978	1,854,571	170,136	2,772,169	717,157	80,589	6,679,943	43,475,840	50,155,783

* This table was carefully compiled by Miss Marion H. Gleason from the Census of 1880, I. 452–456, 492–495, 538–541, 670–671; Compendium, I. 453–463. Similar figures for 1890 may be found in Eleventh Census, Bulletin No. 357, pp. 12 *et seq.*; but the footings by races and by groups of cities in the above table for 1880 seem more suggestive.

TABLE VI.—STATUS OF THE POPULATION OF BOSTON, 1885.*

MALES.

Ages.	Born in Massachusetts.	Born in other parts of U.S.	Total Native.	Foreign.	Sum Total.
Under 1	3,476	37	3,513	24	3,537
1-4	13,351	480	13,831	550	14,381
5-9	15,165	969	16,134	1,642	17,776
10-13	11,219	980	12,199	1,320	13,519
14-19	14,061	2,028	16,089	3,563	19,652
20-29	19,147	6,668	25,715	13,530	39,245
30-39	10,580	6,406	16,986	14,471	31,457
40-49	5,661	4,634	10,295	12,143	22,438
50-59	3,263	3,004	6,267	7,144	13,411
60-79	2,865	2,238	5,103	5,009	10,112
80-	214	136	350	285	635
Unknown.	2	10	12	7	19
Total	9,9004	27,490	126,494	59,688	186,182

FEMALES.

Under 1	3,564	41	3,605	25	3,630
1-4	12,893	463	13,356	545	13,901
5-9	14,955	1,024	15,979	1,726	17,705
10-13	11,447	1,017	12,464	1,351	13,815
14-19	14,227	2,275	16,502	4,968	21,470
20-29	20,057	6,671	26,728	19,579	46,307
30-39	10,857	6,270	17,127	16,358	33,485
40-49	5,972	4,994	10,966	12,949	23,915
50-59	3,474	3,207	6,681	8,789	15,470
60-79	3,575	2,901	6,476	6,795	13,271
80-	448	256	704	514	1,218
Unknown,	8	8	16	8	24
Total	101,469	29,127	130,600	73.607	204,211

* This table is compiled from figures specially furnished by the Massachusetts Bureau of Statistics of Labor. Like the preceding table its significance would be much increased by plotting the figures on a co-ordinate chart.

IX.

THE BIOGRAPHY OF A RIVER AND HARBOR BILL.

To write a complete and accurate history of an important Act of Congress would be to throw an illumination upon our national legislation, national government, and national character. For every important statute is the resultant of all the social, political, and economic forces at work in the country. Still more, the process of legislation, if we could follow it at every stage, would be seen to explain some of the most obscure and most interesting phases in the life of the nation. But who is to disentangle the threads? Who can discover the undercurrents of influence, of individuals, of corporations, of municipalities, of States, of private counsellors, of voluntary advocates, of paid lobbyists? who is to assign the rightful equivalent to each member of the legislative body, to the President, to his eight official advisers, to the Speaker of the House of Representatives, to each

of the eighty-eight Senators and three hundred and fifty-six Representatives? Above all, who is to measure the effect of tradition, precedent, and forms of organization? We have a careful and reasonably exact record of words spoken and action taken on the floors of Congress; but who will tell us what goes on in committee, or in private conference, or in the lobby? who knows the motives which cause votes to combine and separate?

This essay is, therefore, not a history of the River and Harbor Bill of 1887. It is an attempt to consider it as one might study the life of a rather obscure public man; the outward events are few and uninteresting; but at every stage we come in contact with persons and organisms which the bill helps us to explain. The dullest man may meet and observe kings; the dreariest act for internal improvements illustrates at the same time the manner of legislating in Congress, and the way in which the public funds are spent by the representatives of the sixty-four million American sovereigns.

There is a reason why the annual River and Harbor Bill especially rewards the student. It is a sort of comet in the congressional planetary system. Other appropriation bills appear each year in about the same form, pass through the same sort of debate, and are approved as the same matter of course. The River and Harbor bill has an orbit of its own; no man is able to predict its

splendor or the time of its appearance. It dashes into Congress, and is attracted hither and thither; and to the last moment it is uncertain whether it will escape on its parabolic path, or collide with a disagreement of the Houses or an executive veto. For this erratic behavior there are two causes: the bill is made up by a special machinery; and the bill is a luxury. Members of Congress must have their salary and mileage; and pensioners and Presidents must be paid; but rivers will flow and tides rise whether the appropriation passes or fails. The enemies of the bill are therefore sure to attack it, without any fear of crippling the government, and a counter-effort is made to introduce it in a form as inoffensive as possible.

Before the bill is finally submitted to Congress it passes through four stages of preparation: local engineers survey and estimate; the chief of engineers estimates; the Secretary of War estimates; and the committee considers. The preliminary survey must have been authorized by a previous River and Harbor Act, and is not permitted until the local engineer has reported that the improvement will be of public necessity, and that the place is worthy of improvement. In point of fact, a survey is rarely refused. The local engineer then submits a plan and estimates. The chief of engineers may alter the plan and pare down the estimate.

The official life of our bill began October 28,

1886, when the chief of engineers submitted his report, and set down as sums which might profitably be spent in the fiscal year 1887–88, items footing to about $30,000,000. The Secretary of War, in his report, November 30, 1886, pared down, in his turn, and estimated "for improving rivers and harbors, $10,175,870." Save in exceptional cases, the War Department considers itself the agent of Congress in ascertaining the practicability of improvements, and in forming engineering plans; and makes no suggestions as to the policy of internal improvements, or of particular expenditures.

The Egyptians named not the name of Osiris, and it is with some trepidation that a layman mentions the Standing Committee on Rivers and Harbors in the House of Representatives—more particularly since it has seen fit to recommend a survey of the Charles River from Boston to Watertown, Mass. There is a mystery hovering over the operations of standing committees of Congress, a mystery only partially removed by Professor Woodrow Wilson in his suggestive book on Congressional Government. The committee which has just been mentioned is one of the few House committees besides the Committee on Appropriations, which has the power of reporting general appropriation bills. Up to March, 1883, the annual River and Harbor Bill was prepared by the Committee on Commerce. In several successive Congresses it was attempted

to divide that committee, which the House was pleased to think overburdened. In 1882 the chairman, Mr. Reagan, forced through the House the worst River and Harbor Bill that has ever been passed. In December, 1883, Congress adopted a new rule, placing under the control of a new committee all measures relating to rivers and harbors. In this case the immense power of the Speaker, through his appointment of committees, was well exercised. Mr. Willis, of Kentucky, the chairman of the River and Harbor Committee, which framed the bill of 1887, showed himself a candid, industrious, fair, and honest man. That two of his four bills failed is due rather to amendments forced upon him than to measures which he advocated.

It is no sinecure to sit as one of the fifteen members of the committee. In the first place, to that committee are referred all petitions and memorials and all individual bills bearing on internal improvements. Of the bills, vast numbers were formerly introduced; at present, members prefer to go before the committee in person, and the memorials are in most cases sent direct. Next come the voluminous estimates of the chief of engineers and his subordinates, covering thousands of pages; the committee then attempt to digest the statistics of each river and port seeking an appropriation. The Secretary of War is called upon for information. Mr. Willis further adopted the

plan of asking all the members of both Houses to appear before the committee, where each was at liberty to present the needs of his district or State; and nine-tenths of them came forward. In addition, there were received and heard delegations from leading cities and from chambers of commerce—all upon a similar errand.

"The horse leech hath two daughters," said Solomon, "crying, give! give!" and the River and Harbor Committee never suffers for want of information in favor of appropriations. Unfortunately, though every job is likely to have an untiring advocate, the public interest has only such hard-worked and preoccupied members as look outside their own districts; there are a dozen pleas for expenditure, against one protest at extravagance. There is no organized River and Harbor lobby, for almost every Congressman is an interested party in some clause of the bill. By petitions, bills, reports, and arguments informed, the committee begins to frame its bill. At once there springs up an ever-recurring difficulty: the bill must be carried; and the number of members who believe in a River and Harbor bill, as in itself meritorious, is not sufficient to pass it.* There is no such proof of the national importance of a bill as an item within it for one's own district. On the other hand, the committee must select: the general distrust of harbor legislation, the numer-

* See note at the end of the Essay.

ous vetoes, and the fate of members who persisted in voting for the Act of 1882, all suggest caution. The problem before the committee is always: How much may we put in without offending the newspapers? How much may we leave out without losing votes? The estimates of the engineers are far greater than the sensitive press will accept, and the committee has a rough rule of thumb by which it agrees to appropriate a certain proportion of these estimates. In 1887 the percentage was twenty-five; thus the amount of the bill was fixed at $7,500,000. We must not suppose that each work receives something; some of the places suggested are too plainly unworthy; others require too great an expenditure; the committee usually throws out a sixth or an eighth of the items in the engineer's report. Furthermore, the committee does not scruple to insert items never before considered. In this manner, in the bill of 1884 was included the first appropriation for the Sandy Bay Harbor of Refuge at Cape Ann, which is likely to cost $10,000,000, and on which there had never been an estimate.

On January 8, 1887, when all the items had been squeezed or expanded till, taken together, they filled up the measure of the committee's purpose, the committee reported its bill to the House. The date shows a distinct advance over the previous *régime*. Four years earlier Mr. Reagan did not report his bill till February 20, eleven days be-

fore the end of the session. In addition, Mr. Willis's accompanying report contained a courageous analysis of the bill. It is not to be presumed that the bill had the complete approval of any member of the committee: it was simply the best they could offer with any fair hope of its passing.

The bantling had now a name. It was "H. R. 10419," and was described as

"A BILL

making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

The public works were two hundred and ninety in number, and required a sum of $7,430,000; the "other purposes" refer to some clauses, directing the manner in which the work should be carried on.

It was a world full of crafty enemies upon which H. R. 10419 opened its eyes. No sooner was it reported to the House of Representatives than a member gave notice that "all points of order are reserved on that bill," and when, after going through the usual recommittal, it was a second time reported on January 11, there was heard the same formula, so suggestive of parliamentary stilettos.

An appropriation bill is one of the few things that the House debates thoroughly. The River

and Harbor Bill is peculiarly open to attack both in principle and detail. In 1886 each House gave up ten sessions to that one bill—a total of not less than sixty hours of debate. There are at least five different parties to the discussion, each of which has a peculiar interest, and forwards it in a peculiar way. The first is made up of chairmen of other committees, who wish to bring forward their own measures, instead of the River and Harbor Bill; the second includes all the members with speeches, who wish unlimited general debate; next come the men with amendments, who wish only an opportunity to insert their item, and assure the House it will take but a moment; the fourth class is determined to kill the bill by filibustering. Finally, we have the Chairman of the Committee on Rivers and Harbors; to him other chairmen are Paynim knights, to be unhorsed at the first onset; general debate is a disagreeable but inevitable waste of time, since speech-making convinces nobody; amendment means the insertion of jobs, the excision of necessary items, and the disturbance of the nice adjustment of interests perfected by the committee; as for filibusters, every right-minded chairman looks upon them as piratical enemies of the human race, to be driven from the seas by force, or, if necessary, to be taken with guile. It is well known that the first morning hour of each congressional sitting is given up to miscellaneous business; and the second usually

to the call of committees for bills. Most of the time remaining after these deductions on each of four days, January 15, 22, 24, and 26, was devoted by the House to debate on the River and Harbor Bill; and, contrary to the general usage, it passed precisely as reported.

The first struggle was with the Chairman of the Agricultural Committee, who, on three of the four days, vainly strove to induce the House to take up one of his bills instead of H. R. 10419. On each day the House went into "Committee of the Whole on the State of the Union, to consider the bill making appropriations, etc." It is in Committee of the Whole that revenue bills are perfected, and that most of the parliamentary sparring takes place. Its more simple rules and more informal practice make it a medium of real debate; here amendments may be offered; an admirable rule permits five-minute speeches on each amendment, and there is no previous question. The chairman of the committee in charge of the bill may and frequently does find means to cut off debate; but Mr. Willis showed himself willing to permit discussion, criticism, and amendment. It is true that the first gun in the battle was his motion that general debate be limited to ten minutes; but he readily consented to three hours, to be divided between the friends and opponents of the bill as it stood.

In attempting to go into committee on the

second day, the filibusters began their tedious tactics, which were kept up during a good part of three sittings. Now it was that most exasperating device, the cry of "no quorum" on every vote; by themselves abstaining from voting, the opponents of any measure may prevent any amendments or action, unless the friends of the bill can keep within call a majority of all the members of the House. Now it was a motion to adjourn; now it was the tedious call of the yeas and nays; now it was a meaningless amendment; now it was a frivolous point of order. The rules of the House are, on the whole, very lenient to a minority. Two men, backed by about twenty votes, caused the bill to stand still for two days. In vain did Chairman Willis remind them that he had not used his power to pass the bill under suspension of the rules, because he preferred fair debate.

Remonstrance failing, he proceeded to fight them in their own fashion. On January 24, Anderson, of Kansas, had mustered fourteen votes on an amendment which had several times been proposed, and, indeed, was once inserted by the House in a river and harbor bill, viz.: that the appropriation should be made in a lump sum, to be expended at the discretion of the Secretary of War. On the 26th, before a single detail had been discussed, a friend of the bill submitted an amendment in almost precisely the same terms. The other side, though apparently puzzled, feared

the gift-bearing Greeks, and opposed the motion on the ground that it was an "abdication of its functions" by the House; for the items would undoubtedly be re-inserted by the Senate. Nevertheless the amendment was carried, and thus took the place of the original bill. There were no longer any items to discuss; the Committee of the Whole therefore rose, and the bill was declared completed, and thus incapable of further amendment. Mr. Willis next moved the previous question. At this stage the opponents of the bill seem to have seen the trap, and interposed points of order. It was too late; instantly the friends of the bill whipped about, and voted in the House against the substitute which they had just accepted in committee. The effect was to leave the bill precisely where it stood when reported January 9, but with this important difference: under the rules of the House it could no further be discussed or amended. The House had substituted the amendment for the bill, and the bill for the amendment; but the process of substitution could no further go. If the trick seem unfair, it must be remembered that the House had spent ten hours upon the bill, of which time the filibusters had consumed at least one-half. Next day, January 27, the bill was quietly passed by a vote of 154 to 95.

As the Senate carries on debate more carefully than the House, and as it guards jealously its prerogative of altering and increasing House appro-

priations, H. R. 10419 was now to lose its form. Sent to the Committee on Commerce on January 28, it was reported back February 17, but how changed! It was technically one amendment, but practically a new bill. Nearly every item had been raised, and many new ones added; the sum total was nearly $10,300,000, instead of the original $7,500,000. No item thus reported was struck out by the Senate during debate: on the contrary, amendments offered by individuals, and not by the Committee, added $385,000 to the total. A few amendments were, however, ruled out of order because they proposed an appropriation for work on which there was no estimate; or because they were "legislation," or, to use a more familiar term, were "riders." The characteristic of the Senate proceedings was, as it usually is, the increase of appropriations, and the introduction of important works not included in the House bill. Thus the Mississippi received $1,500,000, as against $1,250,000 in the House bill; $50,000 was inserted for the survey of the Hennepin Canal; and $150,000 and $350,000 respectively for the Green and Barren, and Portage Lake improvements. The Senate passed the bill as amended, February 21, and knowing by long experience that the House would not concur, conferees were immediately appointed. The Senate had spent seven hours and a half on the bill, and had added $3,200,000 to the expenditures which it proposed.

As there was technically but one amendment to its original bill, the House was not bound to consider each item separately; and when the Senate bill appeared in the House, February 23, it was hastily acted on by the Committee on Rivers and Harbors; and they recommended "non-concurrence." On February 26, when but five debating days remained, Mr. Willis moved to suspend the rules, to non-concur, and to appoint conferees. The filibusters were able only to obtain the reading of the bill. Thirty minutes' debate was allowed under the rules. It was perfectly clear that the conference was the only means now by which any bill could be carried. The necessary two-thirds vote was obtained, and the conference authorized: as is usual in such cases, the chairman and one of the leading members of the Committee on Rivers and Harbors were two of the three House conferees.

American politics abound in ingenious labor-saving devices, by which the will of a few men replaces the will of a majority. We have the nominating caucus, the legislative caucus, the standing committee system, and the conference committees. But while a name may be unexpectedly rubbed out of the slate of the nominating caucus, the conference report is seldom amended; while the legislative caucus cannot always prevent an appeal to the public from dissatisfied members, the conference committee permits no minority reports; the most powerful standing committee

may see its carefully prepared bill shattered by amendments in conference, but the conference committee frames a bill which has never been considered in either House, and forces it through unaltered. To crown the powers of this extraordinary body, the mightiest chairman on the floor may be swept off his legs when a conference committee claims its unrestrained privilege of presenting its report.

In theory the conference committee on any subject is empowered to consider only matters in disagreement between the Houses, and to arrive at some middle way in each. In practice it often frames practically a new bill, containing a new distribution of appropriations, and inserting some items never discussed in either House. In this way the Tariff Act of 1883 was reported, and it is a very startling fact that a large proportion of the important acts of Congress are framed by these special joint, shifting committees of six men each, sitting in unreported conclave. It would be interesting to know what went on between the 26th and 28th of February over H. R. 10419, but it is possible to judge only by the result; the House bill called for $7,500,000; the Senate bill called for $10,500,000; the conference report called for $9,913,000. The Hennepin Canal and purchase of the Green River and Portage Lake improvements were retained, and at least one new item had crept in.

Like many other tyrants, the conference committee registers its will through the forms of free government. When, on February 28, the report was submitted for the action of the House, there was but one way in which it could exercise any further control over the bill; it might reject the report and simply order another conference. Four successive conference committees had been necessary to arrange the previous River and Harbor Bill of 1886. The time was too short for such delay; the only remaining check was to insist that the report should be comprehensible, and that it should be read. It is very difficult to secure either of these simple safeguards. The report on the bill of 1881, carrying $11,000,000, set forth only that the Senate had receded from amendments numbered so and so, and that the House had receded from its disagreements to amendments numbered so and so. Notwithstanding the fact that a rule of the House required with each conference report "a detailed statement sufficiently explicit to inform the House what effect . . . such amendments . . . will have upon the measure to which they relate," Chairman Reagan had at that time submitted a report of nine and one-half lines, from which no information could be had as to one single item; and the bill was passed in fifteen minutes, under the previous question. Chairman Willis, on the contrary, made it his principle to present a perfectly clear analysis of the changes made by the

committee. But the clearer the conference reports on appropriation bills, the plainer is the fact that the House conferees habitually yield to the Senate; in this case only one-fourth of the Senate increase had been struck out. So far as the House of Representatives is concerned, conferences are what plébiscites in France have been defined to be —"a device for voting yes." The Chairman of the River and Harbor Committee, trying to please delegations and members in his committee, is one individual: in the House, defending his bill, he is another; in conference, facing the danger of failure, he is another; and the three individuals have different opinions as to what constitutes a proper bill. It is impossible for any chairman to see his bill finally fail for want of a few concessions; and he has usually left room for concessions by cutting his original bill down below what he expects to see appropriated. At any rate, the House voted to "consider" the report. There was only a feeble flickering of filibustering; at this stage, "consideration" meant only that the previous question should be ordered. It was done. The final vote was now to be taken, and both sides mustered their retainers. By a vote of 178 to 89 the House agreed to the report of the conference committee. As the rules were suspended, the amended bill was thus passed.

The day following, March 1, the Senate agreed to the report of its conferees without a division;

the only objection came from a senator who wished to see the bill in print. Next day, March 2, it was duly announced that the Speaker of the House had signed the bill, and that the Senate Committee on Enrolled Bills had found it correct.

Here let us stop a moment to describe the appearance and character of the bill of which we have so long followed the fortunes. First comes the enacting clause; the second paragraph makes three hundred and fifteen appropriations for as many objects; the third clause regulates the manner of doing the work; at the end is a general appropriation for eighty specified surveys. The whole bill is hedged about with provisos, the most important of which are the stipulation for the expenditure of all sums under the direction of the Secretary of War, and the continuance of a special commission over the Mississippi River improvements. In many cases the appropriation is subdivided, as in the following example:

"Improving Newtown Creek and bay, New York: continuing improvement, $10,000; of which $2,500 is to be expended on west branch, between Maspeth Avenue and Dual Bridge, at Grand Street and Metropolitan Avenue; $2,500 to be expended on main branch, between easterly Grand Street bridge and Metropolitan Avenue; and balance on lower end, from Maspeth Avenue to the mouth of the creek."

An analysis of the bill shows the objects for which appropriations are made to be as follows: 109 harbors, 8 breakwaters, 3 harbors of refuge, 4 ice harbors, 13 channels, 162 rivers, 6 removals of obstructions, 2 purchases of improvements, 80 surveys, 8 miscellaneous. In forty-four instances appropriations are for more than one object. The total appropriation, as divided among 439 different works, counts up to $9,913,800.

After seventy-one years of improvement of water-ways by the Government it is too late to ask whether it is constitutional, or even whether it is expedient, to appropriate money from the national treasury for works of national benefit. The moral character of H. R. 10419 must be determined by inquiring whether this particular bill was reasonable in amount; whether the improvements for which it provided were likely to be of general benefit; whether they were all useful to any one; and whether the methods of administration were wise.

In answer to the first question it must be said that there has been a large increase of such expenditures since 1822; but it has not in proportion gone beyond the increase of the general expenses of the Government; and the bill for 1887 is by no means excessive, compared with those of the nine years previous and of the five years since.

Was the bill of general utility? It not, it was from no lack of effort to make it cover the whole

area of the United States. It is a little hard to judge how useful the greater number of works may be; for some of the names are not always familiar, and several of the places mentioned in the bill modestly avoid the publicity of a gazetteer. Of course, every New Englander knows precisely the location of the "western channel of Lynn Harbor, leading to the Point of Pines," and sees the national necessity for its receiving $1,000. But why should Hyannis Harbor get $5,000, Aransas Pass $60,000, Wappoo Cut $2,500, and Upper Willamette River $7,500? They all seem of equal importance to the great commerce of the United States. Why should Duck Creek, Delaware, have $3,000, and Mispillion Creek, in the same State, notwithstanding a larger name, be put off with $2,000? Why should Currituck Sound, Coanjok Bay, and North River Bar, North Carolina, receive conjointly only as much as Contentnia Creek, near by? Is it fair that money should be appropriated for the Big Sulphur, the Yallabusha, the Pamunkey, the Chefuncte River, and Bogue Phalia, while "the silvery Charles" is put off with a pitiful survey? What power other than a Modern Language Association can ever hope to "improve" the Rivers Skagit, Steilaquamish, Nootsack, Snoquomish, and Snoqualmie?

There is other than geographic evidence that some of the items in the bills might well be omitted. In January, 1883, the Secretary of War

made a report in which he designated in the previous River and Harbor Bill ninety-two items, carrying $862,500, as not of general benefit. His items are instructive: in one port the annual revenue collected was $23.25; in another there was no commerce whatever; in another the real object of the appropriation was to provide hatching grounds for the Fish Commissioners. Some rivers were incapable of permanent improvement; in others the people had themselves obstructed the stream. One creek lay wholly within the limits of the city of Philadelphia, was an open sewer, and was barred by permanent bridges; all the water of another could, when examined, pass through a twelve-inch drain; and in another place a quarter of a million dollars had been appropriated, practically to protect land from the effects of hydraulic mining. Thirty-one of the items thus reprehended reappeared in the bill of 1887; and it would be impossible to say how many new ones were of the same sort. The great rivers and harbors in the bill of 1887, the improvement of which is at once seen to be national, take up $5,570,000; the remaining $4,200,000 was not likely to benefit anyone outside the limits of the State within which it was spent.

In the present low state of public sentiment as to national expenditures, one might perhaps admit appropriations which do benefit some commerce, however local. But our bill, like most of its pre-

decessors, contained provisions for the expenditure of money which could benefit only the owner of the water-front, or the contractor, or the laborer. There is an item in H. R. 10419 for "the protection of the Illinois shore opposite the mouth of the Missouri River." There is an appropriation of $300,000 for the Missouri, purposely distributed among points where there are railroad bridges; and the understanding was that it should be used to protect from wash the approaches to those bridges. Indeed, why should money be spent upon the channel of the Missouri? Senator Vest of Missouri frankly stated that from St. Louis to St. Joseph there were but three steamers plying; and another member of Congress stated that the draw in one of the Missouri bridges had been opened but once in a year. Some of the appropriations have left no other trace than the wages and profits of people within the district.

Here is a specific case, no worse in principle than a hundred others. Years ago the United States Government granted very valuable lands to aid in the construction of a canal connecting the Fox and Wisconsin Rivers. Having thus given the water-way a value, it then agreed to pay $145,000 in cash for the canal, leaving, however, to the original owners the right to the water-power. It then proceeded to spend upward of $2,000,000 on the improvement of that water-way. In 1888, according to a gentleman living on the line of the

canal, there was one small steamer making regular trips, and the only practical value of the improvement was that the Government kept up the water-power for private parties, who had recently sold it to other private parties for $3,000,000. For improvements wholly within the State, Florida received, in the bill of 1881, for each $1,000 of valuation, $7.16; Oregon, $4.09; New York, 21 cents; Pennsylvania, 10 cents; and Iowa, 1 cent. It is not too much to say that, under the bill of 1887, $2,000,000 would have been in the end absolutely wasted, and $2,000,000 more would have been of local benefit only.

There remains one question. Is the money spent upon undoubted national improvements usually wisely spent? Such is the intention of Congress, but that intention is not effected. The first great defect of the system is, that too many works are undertaken at a time; every man wishes to see the sea-wall built over against his own house. Of the four hundred and thirty-nine works contemplated by H. R. 10419, in only eight cases is the appropriation sufficient to complete the work; the yearly dole is necessary in order to hold the yearly vote; whatever the estimate of the engineers, the application of the twenty-five per cent. rule by the committee makes it nearly impossible to secure the finishing appropriation for any work. Pressing works are kept incomplete, or swept away because half fin-

ished. Yet the Government is constantly entering upon new and costly enterprises. The engineer reports no summary of the probable expenditure upon works now in progress; it can hardly be less than $200,000,000. Every year new surveys are introduced, almost without opposition; they become the basis of new estimates and new appropriations.

The natural effect of indiscriminate expenditure is to discourage private enterprises. The Government not only undertakes works for which private capital might be secured, but it has entered upon the purchase of existing canals and river improvements. The administration of the river and harbor improvements is honest—the engineers, for the most part army officers, capable; but the whole system is crippled by the constant interference of Congress. If that body choose to begin a Hennepin Canal, involving twenty to thirty million dollars, the War Department has no choice but to carry it out. A certain degree of discretion the Secretary does exercise; he withholds money from the grosser jobs; he accumulates balances unexpended, against the year when the bill may fail; he insists on complete and comprehensive plans before great works are undertaken; but he is subject to calls for information from either House, and to attacks to which he cannot reply. A single sentence from one of these Congressional amenities is an illustration of what a just public

officer may suffer for doing his duty. It appears that the Secretary of War had approved of the removal of an engineer whom the Oregon people liked, but in whom the department lacked confidence. A senator from Oregon therefore said: "Mr. President, I desire at this time to call the attention of the Senate and the country, and especially of the people of the Pacific Northwest, who are vitally interested in the speedy opening up of the Columbia River to free and unobstructed navigation, and who are, by reason of their peculiar situation as to transportation facilities, in no humor to be trifled with by questionable arbitrary action or non-action upon the part of executive officers, civil or military, some of the latter of whom have grown in a measure officially haughty, arbitrary, and to a degree intolerant, not to say insolent, by reason of having been for years protected in desirable assignments in Washington, mainly, as many are, through the baneful instrumentality of social influence rather than real merit, which in this great capital too often makes and unmakes men— to the manner in which, during the fall of 1886, the will of Congress was set aside, and the execution of its act in appropriating $187,500 for the continuance of work on the canal and locks at the Cascades of the Columbia suspended, unjustifiably, to the great detriment of the people's interest, and to fix, if we can from the record, the just responsibility for this high-handed, unjustifiable, and

wholly illegal act upon the official or officials justly chargeable therewith."

The administrative commissions, particularly those in charge of the Mississippi and Missouri River improvements, fare no better, though chiefly made up of expert engineers. Their plans are rejected, their estimates cut down, their members assailed. The bill of 1887 took pains to ignore the Missouri River Commission. In fact, all commissions and all Cabinet officers are considered servants of Congress.

The Secretary of War is at least not appointed by or removable by Congress; he serves the third member of the legislative body. We left H. R. 10419 waiting for the President's signature; it waits still. It reached President Cleveland on the night before adjournment, together with a hundred and five other bills, the whole carrying seventy-five million dollars of appropriations. In the absence of any power to veto items in appropriation bills, a power repeatedly suggested in Congress of late, he exercised the one possible check on bills containing a mixture of good and bad provisions, and on bills which come in too late for examination. In refusing to sign it, he followed the worthy example of Jackson, Tyler, Polk, Pierce, and Arthur; as Congress adjourned before ten days had elapsed, it did not become a law.

Let us sum up the brief existence of H. R. 10419: it was prepared by a laborious committee,

and introduced by an honest chairman; it contained some provisions good and useful; and some needless, wasteful, and badly applied. There was opportunity for fair debate in the House. The Senate loaded it with amendments, some of them iniquitous; and the House conferees yielded to them. It was passed because a majority of the members of both Houses desired specific appropriations, which could not be obtained without voting the whole bill. It failed because, while containing much for the public good, it could not, without detailed examinations, commend itself to a man who had no personal interest in its success.*

* This essay was originally read before the American Historical Association and the American Economic Association, in joint session, at Sanders Theatre, Harvard University, June 24, 1887. It drew from Senator George F. Hoar, of Massachusetts, several letters of remonstrance; and the author has made some changes in the previous text, to correct errors of statement. Two army officers have also assured the author that in their experience the waste and misapplication of River and Harbor appropriations was very small, and Mr. E. R. Johnson, in an article on River and Harbor Bills (Annals of the American Academy of Political and Social Science, II. 782–812), has joined issue with the general trend of the above essay. On the other hand, members of Congress and other persons experienced in Congressional life, and persons who use the improvements, assert that there is great waste, and that no one acquainted with the facts supposes that the money appropriated for many large items of the River and Harbor Bill is of permanent advantage to the nation, or even to the local users. A study of the debates on any bill will convince the investigator at least that a large number of members of Congress think that there are abso-

X.

THE PUBLIC LAND POLICY OF THE UNITED STATES.

In a letter of January 25, 1785, General George Washington says of the frontier lands: "There being no settlement or appropriations (except the reservation in favor of the Virginia line of the army), to my knowledge, in all the country northwest of the Ohio." In 1883, according to an official publication of the Public Land Commissioner, there were "purely arable lands remaining in the West (estimated), five million acres," and "the movement westward in search of free Government lands must soon cease." No more timely and interesting service could be performed than to consider the probable effect of the impending change. For a

lutely needless items. The trouble is not so much in "jobs," in works for which contractors are paid without fulfilling the contract; the loss comes from putting money into levees which will continue to crumble, into ports where there will never be entries, and into river improvements where there can never be steamers. It "makes work;" it keeps on making work.

century, our political, economic, and social relations have been sensibly affected by the nearness, accessibility, and cheapness of Government land. The population of the country has at last overtaken our unsettled domain. Henceforth, our conditions must be more like those of old and crowded countries. The nation has had, enjoyed, and spent, a part of its heritage; and can never recover it.

To speculate upon the future is, however, more difficult and less profitable than to consider the mistakes of the past. The present essay is an attempt to show how it comes about that the arable lands of the United States Government are on the verge of exhaustion. Three questions will be considered in turn—the acquisition of the lands, their disposition, and the policy of the Government.

The first table given in the Appendix to this essay shows how the United States acquired its lands. The Government of the United States deals with territory in three different aspects. As a general government, it exercises jurisdiction over all the area included within the boundaries of the United States; as a government, it controls, or provides for the control of, that part of the national territory not organized into States; as a landholder, it owns large tracts of lands within both States and Territories. In the first column of the table is presented a statement of accessions of territory. The Congress of the United States went

into the business of governing the nation, March 1, 1781, with 819,815 square miles of territory; and this area was acknowledged to belong to the United States by the treaty of 1783. The first increase of territory came in 1803. The Interior Department has committed itself, in its land and census publications, to the statement that the Louisiana purchase of that year included Oregon. It is more in accordance with the historic truth to say that our title to Oregon, south of the Columbia, dates from the Lewis and Clarke expedition of 1805. The United States, therefore, secured 877,268 square miles in 1803, and 225,948 square miles in 1805. In 1812, acts of Congress extended our jurisdiction over about 9,740 square miles, claimed by Spain in West Florida. The Florida purchase of 1819 added 54,240 square miles. Texas brought us 262,290 square miles in 1845. Here, again, the Government publications conflict with history. New Mexico was never a part of Texas, and our title to that region rests upon the same basis as that to California: it was a part of the conquest of the Mexican War. In 1846, our title to the 58,880 square miles north of the Columbia was acknowledged by England. In 1853, we bought 47,330 square miles of Mexico. Finally, in 1867, Russia ceded to us Alaska, with 577,390 square miles. To speak in round numbers, the original area of the United States was doubled by the Louisiana cession; almost as much was added

out of Mexican territory; and Oregon and Alaska together make up the fourth quarter of the present area.

The area embraced in the Territories has varied almost from year to year. Between the years 1784 and 1802, cessions by the States had given to the United States 405,482 square miles; but, besides two little tracts ceded by the United States to Pennsylvania and Georgia, the creation of new States, beginning with Tennessee in 1796, withdrew large regions from the Territorial status. Each annexation increased the Territories for the time being: each admission of a State again reduced it. At present, the Territories cover 919,992 square miles, and the States 2,581,507. From 1820 to 1889, the area of the States taken together was never very far from one-half of the total area of the whole United States. At present the status of the territory seems likely speedily to disappear, except in Alaska and perhaps the Indian Territory.

That part of the land within our boundaries which belongs to the nation has by the Land Office been named the Public Domain. The area is a ratio having two variables: at intervals, it is increased by cessions or annexations; every year since 1799, it has been diminished by sale or gift. At the beginning of the existence of the Confederation, in 1781, the Government did not control or own a single acre of land. Every part of the United States was claimed by some State, and

there were regions covered by two or even three claims. With all its defects and its imbecility, the Confederation did one great service to the nation and to posterity: it succeeded in prevailing upon a number of the States to waive their claims in behalf of the General Government. March 1, 1784, the cession of Virginia gave to the United States undisputed title to a large part of the region north of the Ohio River. The previous cession of New York, and the later cessions of Massachusetts and Connecticut, 1785 and 1786, completed the title to the vast tract now occupied by six populous States. In the South, the process was slower. South Carolina ceded her claim in 1787, North Carolina in 1790. It was not till 1802, that Georgia released her hold upon the region now comprised in the States of Alabama and Mississippi.

An inspection of Table I. of the Appendix to this essay will show that the United States received title to less land than was included in the cessions. This was because in every case there were reservations. Thus, Connecticut kept for herself the Western Reserve. Virginia liberally provided a bounty tract for her Revolutionary soldiers north of the Ohio River. North Carolina, with a great flourish of trumpets, yielded the region now included within the State of Tennessee; but it was found later that the whole region was covered by State land warrants, so that the United States

never actually held an acre there by original title. In addition to the reservations for the benefit of States and their *protégés*, every tract which has come to the Government has been reduced by the claims of previous residents: the policy of the Government has been to leave actual occupants of small estates undisturbed, and to construe liberally the grants of previous governments. The Indian occupancy has also always been recognized as something which must be purchased before the United States gained full title. Texas retained the whole body of public lands within her limits. With the two exceptions of Indian and Texan lands, the United States has had, since 1802, to consider only private claims. As more than one-half of the whole present territory of the United States (1,865,457 out of 3,501,509 square miles) has once been Spanish, the land titles under the grants and laws of Spain have been a troublesome thorn in the flesh of successive Land Commissioners. No exact record appears of the precise quantities of land confirmed to claimants in California, New Mexico, Louisiana, and Florida, but upwards of fifty thousand square miles have doubtless never entered the public domain. The general policy of the Government is to require a claimant under Spanish grants to prove his title. Great hardship has often ensued, and many grants are still unconfirmed by the United States.

If the Government had never parted with any of

the lands to which it had undoubted title, the nation would now have, including Alaska, a patrimony of 2,708,388 square miles. This area is but little less than that of the whole United States, excluding Alaska. The fourth column of Table I. shows the amount of land in possession of the United States from year to year. It will be noticed that since 1803 we have had more land than exclusive territory. A very considerable part of the public domain lies therefore within the limits of States. Another significant fact, shown by the same table, is the rapid melting away of the area gained by each cession since 1805. We had less land in 1846 than before the Florida and final Oregon annexations; the area of Alaska barely made good the acreage lost since 1848, and a new Texas would not restore the public lands parted with since 1880. Let us look more closely into the process by which the United States has divested itself of more than a million square miles.

Table II., in the Appendix, shows the number of acres disposed of in each year, classified under four heads, which, roughly speaking, account each for one-fourth of the total.* First in amount and importance are the sales. The history of the public lands happens to fall into five tolerably distinct

* The generalizations in this part of the essay are based on a study of the Land Office returns down to 1883, and it has not been possible to reconstruct all the tables to 1892.

periods, each of about twenty years. From 1784 to 1801, the policy of the Government was to sell lands in large quantities by special contract: the result was an average sale of less than one hundred thousand acres yearly. In 1800 was inaugurated a new system of sales, in small lots, on credit: about eighteen millions of acres were thus taken, but more than two and a half millions subsequently reverted to the Government under relief acts. In the middle of 1820 began a system of sales for cash, in lots to suit purchasers. Seventy-six million acres were sold in twenty years; but of this large quantity one-half passed out of the hands of the Government in the two years preceding the panic of 1837. After that revulsion, the pre-emption system was adopted, by which the most desirable lands were reserved for actual settlers, at a low price. Except in the years 1856-57, the sales were steady, and kept pace with the growth of the West. The homestead system carried the principle of "land for the landless" still further, and cut down cash sales to an average of a million acres a year. Since 1880, pre-emptions have been resorted to again, in many cases for fraudulent purposes; and the total sales average almost four million acres a year. At present, lands are classified by the Land Office as agricultural, saline, town site, mineral, coal, stone and timber, and desert lands. From 1854 to 1862 there was a further class of "graduated lands." These were tracts

which had long remained unsold, and were offered to abutters at very low prices. The minimum price for ordinary lands has for many years been $1.25 per acre. Timber lands and lands reserved from railroad land-grants are sold at the "double minimum" of $2.50 an acre; mineral lands are valued at $2.50 and $5 an acre; coal lands, at $10 and $20 an acre.

It would seem, therefore, as though the sale of a hundred and ninety-two million acres must have brought in a handsome sum to the Government. As long ago as 1787, Thomas Jefferson wrote: "I am very much pleased that our Western lands sell so successfully. I turn to this precious resource as that which will, in every event, liberate us from our domestic debt, and perhaps, too, from our foreign one." It is true that the proceeds of the public lands did eventually wipe out the last vestiges of the debt which had existed in 1787. It is true that the lands had, up to June 30, 1883, brought into the Treasury of the United States the smart amount of two hundred and thirty-three million dollars. It is equally true that, except for the period from 1830 to 1840, the lands have been a drain upon our finances. At the end of the financial year 1882–83 the Government was out of pocket, so far as cash outlay and receipts are measures of the value of the lands, in the sum of more than one hundred and twenty-six millions of dollars.

The first great item of expense is the extinguishment of the Indian claim to ownership. Since 1781 the United States Government has recognized the right of occupancy, but has asserted its sole prerogative to acquire Indian lands. First and last, up to the end of the fiscal year 1882–83, it had paid two hundred and nine millions of dollars for the interest of the Indian in his lands. There have been grave acts of injustice in the manner of negotiation and of payment, but no inferior race ever received more consideration at the hands of the treaty-making power. The Indians are still in possession of reservations comprising some of the most favored lands in the West and embracing more than a hundred million acres of land. A second source of expense has been the purchase-money paid for all the annexations since 1802, except that of Oregon. The items in the category taken together make an outlay of upwards of eighty-eight millions. Surveys and expenses of disposition add fifty-five millions. If a strict account were to be made up, there should be added to the expenditure a proportion of the general expenses of maintaining the government and the whole cost of the Mexican war.

Unsatisfactory as is the financial result of our public-land policy, we must reflect that the sales account for but little more than a fourth part of the total disposition. Perhaps we shall find the remainder so used as to give some indirect benefit

which cannot be reckoned in dollars and cents. In the second column of Table II. is a partial record of the grants made to individuals. The twenty-year periods are again distinctly marked. In the first four decades two sorts of grants are apparent. In 1796, and later, provision was made for the fulfilment of long-standing promises to the Revolutionary troops and to the Canadian refugees who had taken sides with the patriots. At the same time, Congress made gifts of small tracts of land to individuals who had performed special services to the republic. Thus, Lafayette received a township of land in 1824; and in 1843 a square mile was voted to one Lowe for "his gallantry and peril in the rescue of an American brig from the hands of pirates." A very few grants were made to educational and charitable institutions; thus, Jefferson College, Mississippi, and the deaf and dumb asylums of Kentucky and Connecticut, were each endowed with a township. Congress has always shown a singular moderation in making special grants, perhaps because its general gifts were so magnificent. Of the ten million acres given away, down to 1840, the greater part was in reward for services in the Revolutionary War and War of 1812. For services in the Mexican War the Government appropriated about sixty millions of acres.

Another form of gift is the so-called "donations." From 1842 to 1854 acts were passed granting quarter sections of land to actual settlers who

would reside on dangerous frontiers. About three millions of acres have been claimed under these conditions. The homestead act of 1862 introduced a new principle into the public-land system: it provided not only for the reservation of farms for actual settlers, but it proposed to give land to all heads of families, citizens of the United States or intending to become such. The effect of the act has been threefold. Under its provisions and those of the similar timber-culture act of 1873, immigration has been stimulated, the revenue from the lands was for many years almost cut off, and one hundred and fifty millions of acres have passed from the public domain into private hands. In some respects, the rapid settlement of the West, which has been greatly favored by the generous policy of the Government, has undoubtedly conduced to the welfare of the country, and has made possible our elaborate systems of transportation and distribution on a large scale. It is, nevertheless, a question whether the present generation, as well as posterity, might not have been equally prosperous if the Government had made the conditions of acquirement more rigorous.

To ascribe the depletion of our reserves of land to the bounty and homestead acts is unjust: the United States has given to the States almost as much as to individuals. Most of the original sixteen States (including Vermont, Kentucky, and Tennessee) were in possession of unoccupied lands

in 1802. The new States as they have been admitted have received large gifts of three kinds. To most of them have been granted from one to six townships of saline lands, an aggregate of half a million acres. For all admitted to the Union previous to 1850 have been reserved one thirty-sixth of the public domain within their limits, for school purposes. The fortunate States which have come in since 1850 receive one-eighteenth, and a like amount is reserved in each of the Territories, except the Indian Territory and Alaska. The total thus set aside is about sixty-eight million acres. For each of the new States and Territories has also been reserved a tract of from two to four townships for a university—a total of more than a million acres. In 1862 Congress granted to each State in the Union, lands proportioned to its representation in Congress, for an agricultural college. Nearly ten million acres were thus appropriated. It is at least doubtful whether a system of endowed public schools is desirable. Many of the States have squandered, lost, or misused the lands acquired for educational purposes. In others the people decline to tax themselves for school purposes, and rely wholly on the fund. But it is even worse with other forms of grants to States. In 1841, a time of reckless disposition of the lands, a grant of five hundred thousand acres was made to each of seventeen of the States, for internal improvements. The largest single gift made to the States up to that time was

included in the swamp-land grants of 1849 and subsequent years. All the "swamp and overflowed lands" within the limits of any State were granted to that State. It was expected that the sale of a part would pay the expense of reclaiming the whole. It does not appear that any great improvements have been made by the States; and the United States is now spending large sums in building levees, to protect regions thus presented to the States in 1850. When the six new States were admitted into the Union in 1890 and 1891 (?), they received the most magnificent endowment ever bestowed on republican commonwealths. Part of the area was reserved school lands; part of it was in the form of new gifts for public buildings, universities and other purposes: the whole amounted to twenty-three million acres, and the gift was accompanied by a promise that no part should be sold at less than ten dollars an acre.

Throughout the history of the country there has prevailed the double error that a gift of land cost the Government nothing, yet was of very great value to the recipient. Upon the land that is of any worth, the United States has spent money for surveys and administration; yet the States and other grantees have found it hard to turn the gifts into money. A great part of the educational grants have realized not more than a dollar an acre. It would in many respects be preferable for the Government to appropriate the proceeds of the

lands rather than to give the disposal of the soil to the States. A distribution act was passed in 1841, by which the net amount received for public lands was to be paid to the States; but it was repealed so speedily that only about seven hundred thousand dollars was thus distributed. A much larger sum has accumulated, and has been paid to the States, under the "two, three, and five per cent. funds." By agreement with each State as it has entered the Union, the United States consents to pay over a proportion of the net proceeds of the lands within that State. More than seven million dollars have been allowed under this provision. The deduction is not strictly a gift, since the States in return bind themselves not to tax public land till it has been five years in the hands of a private owner.

In theory, the lands appropriated for internal improvements of various kinds have also been sacrificed in order to make the remainder more valuable. The Ohio five per cent. fund in 1802 was intended to be applied to the construction of the Cumberland road, which was to be the great avenue for purchasers and settlers from the Atlantic coast. This was the beginning of the system of internal improvement at the expense of the nation; but, in practice, Congress built the road out of general funds. It was not till 1827, four years after the first river and harbor bill, that direct grants of lands were made in aid of internal im-

provements. The new and momentous policy began with grants for canals. Between 1827 and 1850 about three million acres had been appropriated to this purpose, principally to secure the completion of the system connecting the lakes with the Ohio and Mississippi. The jealousy caused by the action of Congress brought about the comprehensive grant of five hundred thousand acres to each "public land State," to which reference has already been made. But the most familiar form of grants for internal improvements dates from 1850. By that year the railroad system had been extended so far west as to penetrate large tracts of unsold lands. Congress aided the extension of the system by assigning to the States of Illinois, Alabama, and Mississippi nearly four million acres, to be used toward the construction of the Illinois Central and Mobile and Ohio lines, reaching from Chicago to the Gulf. Between 1850 and 1872 about eighty similar land-grants were made. The principal lines of communication in Minnesota and Iowa, and important roads in Wisconsin, Illinois, Missouri, Arkansas, Louisiana, Alabama, Mississippi, and Florida, were subsidized. In 1862 a new problem presented itself. It became a political necessity to lay a line of railroad across the continent. Between Iowa and California there were no States to which the grant could pass. Congress, therefore, promised a subsidy of land to corporations which undertook to build the Pacific railroads.

In the ten years following, some twenty-three similar grants were made, in almost all cases for roads running east and west, and intended to form links in transcontinental lines.* To satisfy the terms of the acts, about one hundred and fifty-five millions of acres would be necessary. Several companies never built their roads, and earned no grant; others completed the work after the prescribed time. In a few cases Congress has formally declared the grant void, and has restored the land to the public domain. A few grants for canals and for wagon roads, between the years 1863 and 1872, make up the three remaining millions of the grand total promised by the Government—a total of a hundred and sixty-two millions of acres. Out of this amount only about fifty millions of acres had been patented to the States and companies in 1883. During the ten years following, there have been legal reversions to the Government of fifty million acres out of unpatented land-grants; and large tracts are still disputed.

To express the disposition of the public lands in familiar terms, the United States had up to 1883 parted with a tract equal to its whole area east of the Mississippi River, added to the States of Missouri, Iowa, and Minnesota (west of the river). The acreage sold was a little more than the combined areas of the New England and Middle

* In Donaldson's *Public Domain*, 949, will be found two excellent graphic maps of the land-grants.

States, with Ohio, Indiana, and Michigan. The coast States from Delaware to Florida (including Maryland) represent the area of gifts to individuals. The remainder of the South, east of the Mississippi, closely approximates to the area of grants to States. The remainder of the Northwest, with Missouri, Iowa, and Minnesota, may stand for the internal improvement grants.

Yet so vast is the area of the country that the Government might repeat its sales and gratuities, acre for acre, without exhausting its reserves of land in the West alone. In spite of the fact that the States had in the beginning, or have retained, five hundred million acres, and that the United States has parted with seven hundred and thirty million acres, the public domain still comprises nearly a thousand million acres. The real significance of the present alarm about the disappearance of the public lands, lies in the fact that the greater part of the unsold lands are either reserved for the Indians or are unfit for ordinary tillage. Upon the best vacant lands—amounting to about a hundred millions of acres—the Indians are still seated. The area can be reduced by judicious and costly treaties; but it amounts only to about three hundred acres per head; and, if the occupants should take up land in severalty to the amount of three hundred and twenty acres for each head of a family, they would still retain thirty million acres of valuable lands; they could not be dispossessed

without such injustice as would rouse the nation. Experts in the Land Office assure us that, making all deductions and allowances, the remaining lands are worth upward of a thousand millions of dollars. There is no evidence in the past policy of the Government for believing that we shall actually net one-tenth of that amount. The greater part of the region is officially classified as "Desert Lands," and is for sale in tracts of six hundred and forty acres, at a dollar and a quarter an acre. Nothing but the temporary increase of pre-emption has enabled the Land Office at present to pay its running expenses out of its income. The golden time is past; our agricultural land is gone; our timber lands are fast going; our coal and mineral lands will be snapped up as fast as they prove valuable. There is no great national reserve left in the public lands unless there should be a change of policy. Should disaster overtake us, we must depend, like other nations, on the wealth of the people, and not on that of the Government.

It is, of course, true that the lands are still in existence, and have been made many times more valuable by the labor of the occupants. It is further true that large quantities of vacant land are for sale by the railroads and other grantees. There is no immediate danger of a land famine. There is abundant cause for criticism of the system adopted by the United States, but it should rightfully be directed rather against the manner in

which the laws have worked than against their purpose. Since 1841, the lands have nominally been reserved for actual settlers; but practice has shown grave defects in the settlement laws—defects which Congress has no will to remedy. No man can legally pre-empt land or take up a homestead more than once; but this limitation is very difficult to guard, and perjury and fraud are alarmingly frequent. No one man can legally acquire more than eleven hundred and twenty acres of land from the Government, if any one else wants the land; a hundred and sixty acres as a pre-emption, as much more as a homestead, another quarter-section as a tree claim, and a section of six hundred and forty acres as a desert-land claim. Actually, single individuals and companies own large estates, which a few years ago were in the hands of the Government.

The accumulation of the large tracts is often brought about by fraud, but much oftener through the mistaken generosity of the Government or through defective land laws. It is not always necessary to hire men fraudulently to take up land for the company. In Texas, the State has sold its lands in its own way, often in large blocks. The school-lands and the scrip for bounty warrants have legally been used for locating wide extending estates. The railroad lands, although not in compact tracts, can be used as a nucleus for a large accumulation; and, in a country where land is cheap and money

dear, the patient, long-headed capitalist can buy up valuable claims in a legitimate manner. The chief source of the present trouble in the West lies in the fact that the Government never recognized that grazing land must be sold and occupied under different conditions from ordinary arable lands. The first comers have been allowed to take up the water-fronts. Any comprehensive system of irrigation of large areas for the benefit of future land-seekers has thus been forever prevented. The possessor of the rivers and water-holes has gained control of the country behind his claim. In such a contest, the largest and richest concerns have a great advantage. There was a time when the Government might have laid out, for sale or lease, large tracts of grazing lands, each with a sufficient water-front. It is now too late.

The fundamental criticism upon our public-land policy is, not that we have sold our lands cheap, not that we have freely given them away, but that the gifts have in too many cases inured to the benefit of those whom the Government meant to ignore. The "land-grabber" is, in most cases, simply taking advantage of the chances which a defective system has cast in the way of shrewd and forehanded or unscrupulous men. The difficulty is certainly not in the Land Office, which, in the midst of perplexing complications, has striven hard to protect our lands. The fault lies at the door of the Congress of the United States, which has the power,

but not the will, to correct notorious defects in our system. Still farther back, the fault is with the free citizens of the Republic, who have been too much occupied to insist that there should be a comprehensive land policy, providing for the equitable disposition of all classes of the public lands.*

* The first three columns of Table I., on the next page, are based upon the statement of the areas of parcels of the territory of the United States in the Census Atlas of 1874, corrected by careful comparison with the revised areas which appear in the Compendium of the Tenth Census, p. 1413, and in Donaldson's Public Domain, p. 1190. The totals of the first and second columns agree with the census estimates. For the third column, the data for subtractions on account of reservations and private claims have been obtained from Donaldson, 69, 73, 82–85, 233, 367–382, 405–409. The fourth column is found by subtracting for each year the total disposition (shown in acres in Table II.) from the total area acquired (shown in Table I., column 3).

As no official statement of the disposition of the public lands year by year has been found, Table II. has been compiled from information in the *Reports of the Land Office* and in *Donaldson's Public Domain*.

The column of sales is derived solely from the reports in *American State Papers, Public Lands*, i., 82, ii., 442, iii., 420. 459 (1787–1819); *State Papers*, 1820–21, vol. i., Doc. 8, p. 16; *Senate Documents*, 1823–24, vol. iii., Doc. 59, p. 9, and 1833–34, vol. i., Doc. 9, pp. 60–63, 82 (1820–1833); *House Executive Documents* for the years 1834–1845, 1847–49, 1851–58, 1862–1883; *Senate Executive Documents* for the years 1846, 1850, 1859–1861 (1833–1883). The total to 1883 (192,584,116) is about 14,000,000 less than the total found by adding the items of sales in *Donaldson's Public Domain*, 519. There is a discrepancy, therefore, between the yearly official reports and the semi-official statement of 1883. The table tallies with the last total found stated by the Land Office in 1833.

The three columns of grants, to individuals, to States, and for internal improvements, are based upon the principle that, so soon as Congress passed an act under which a claim upon the Government accrued, the land was disposed of. In many cases, particularly those of the swamp lands, railroad grants, homestead, and tree claims, there will be extensive reversions. The second column, of grants to individuals, is compiled from statements in Donaldson, with the addition of a few gifts shown by the *Statutes at Large*. The total is eight millions more than Donaldson's, but a number of grants are included which are not footed into his results. The third column is also derived from Donaldson, and agrees with his total within two millions. The fourth column overruns his total by a hundred millions. All railroad grants are included, though patents have not been issued.

To Mr. G. S. Callender, of the Harvard Graduate School, the author is indebted for the continuation of the tables to 1892, and for a summary of the reversions. He has used the *Annual Reports of the Commissioner of Public Lands*. The items on the line marked "Reversions" are for the land restored to the Public Domain from 1885 to 1889. Under the first two headings there were restored 30,489,314 acres. It was impossible to tell from the Reports just what part of this sum belonged under each head. The division made is an estimate.

TABLE I.—SHOWING APPROXIMATELY THE ACQUISITION OF THE PUBLIC LANDS OF THE UNITED STATES, 1783–1891.

[Areas in Square Miles.]

Areas acquired by the United States.	Total area under exclusive jurisdiction of the U. S.	Areas of land acquired by the U. S.	Total area of land under ownership of the U. S.		
819,815				1783	
	175,210	168,250	168,250	1784	
	229,526	54,316	222,566	1785	
	262,824	33,142	255,708	1786	
	267,789	4,965	259,015	1787	
	267,473		258,292	1788	
819,815	**267,473**	**260,673**	**258,292**	1789	Totals.
	309,423		258,292	1790	
	267,473		254,921	1796	
	301,573	34,022	288,927	1798	
819,815	**301,573**	**294,695**	**287,303**	1800	Totals.
	301,669		287,858	1801	
	361,716	45,532	333,108	1802	
877,268	1,198,224	863,268	1,194,827	1803	
225,948	1,198,224	225,948	1,419,249	1805	
9,790	1,162,596	9,290	1,416,080	1812	
	1,126,686		1,409,352	1816	
	1,080,346		1,404,973	1817	
	1,024,346		1,399,438	1818	
54,240	1,027,046	52,276	1,442,603	1819	
1,986,061	**1,027,046**	**1,491,009**	**1,438,385**	1820	Totals.
	961,479		1,437,476	1821	
	905,266		1,338,094	1836	
	847,851		1,330,436	1837	
1,986,061	**847,851**	**1,491,009**	**1,313,790**	1840	Totals.
262,290	793,632		1,284,356	1845	
58,880	1,028,949	58,630	1,337,807	1846	
614,439	1,572,938	579,919	1,890,013	1848	
	1,426,985		1,750,869	1850	
47,330	1,474,315	47,330	1,754,614	1853	
	1,395,110		1,661,906	1858	
	1,300,557		1,590,369	1859	
2,970,000	**1,305,557**	**2,176,888**	**1,578,822**	1860	Totals.
	1,218,939		1,556,654	1861	
	1,109,234		1,403,063	1864	
531,409	1,564,606	531,400	1,862,992	1867	
	1,461,247		1,739,271	1876	
3,501,509	**1,461,247**	**2,708,288**	**1,705,938**	1880	Totals.
	1,101,357		1,466,786	1889	
	919,492		1,442,265	1890	
3,501,509	**919,492**	**2,708,288**	**1,429,527**	1891	Totals.

TABLE II.—SHOWING APPROXIMATELY THE DISPOSITION OF

[Areas in Acres.]

Sales.	Grants to individuals (other than for internal improvements).	Grants to States (other than for internal improvements).	Grants for internal improvements (to States and corporations).	Total disposition.	
1,037,259	23,040			1,060,299	1787
450,727	12,000			462,727	1788
1,487,986	**35,040**			**1,523,026**	Total to 1790
	100			100	1792
	24,000			24,000	1795
48,566	2,095,220			2,143,786	1796
38,365	300			38,665	1800
1,574,917	**2,154,660**			**3,729,577**	Total to 1800
360,281	101,700			461,981	1801
340,010		24,216		364,226	1802
181,068	36,800	773,608		991,476	1803
373,612				373,612	1804
619,266				619,266	1805
473,212				473,212	1806
359,012	13,120			372,132	1807
213,472				213,472	1808
231,045				231,045	1809
235,878				235,878	1810
288,930				288,930	1811
436,932	4,853,600	832,164		6,122,696	1812
145,062				145,062	1813
828,411				828,411	1814
1,075,183				1,075,183	1815
1,473,679	77,232	726,437		2,277,348	1816
1,929,142		873,664		2,802,806	1817
2,388,864		1,153,175		3,542,039	1818
5,110,628	23,040	1,017,974		6,151,642	1819
784,608		1,291,299		2,075,907	1820(1st half)
19,423,212	**7,260,152**	**6,692,537**		**33,375,901**	Total to 1820–21
303,404				303,404	1820(2d half)
781,213				781,213	1821
801,226				801,226	1822
653,320				653,320	1823
−2,469,517				−2,469,517	1821–23
749,323	23,000			772,323	1824
893,462				893,462	1825
848,082	22,508			870,590	1826
926,728			791,696	1,718,424	1827
965,600			833,826	1,799,426	1828
1,244,860				1,244,860	1829
1,929,734	1,422,093		29,552	3,381,379	1830
2,777,857				2,777,857	1831
2,462,342	301,280			2,763,622	1832
3,856,278	200,000			4,056,278	1833
4,658,219	36,000			4,694,219	1834
15,934,430	500,000			16,434,430	1835
20,074,871		2,138,117		22,212,988	1836
5,601,103				5,601,103	1837
3,414,907			125,431	3,540,338	1838
4,976,383				4,976,383	1839
2,236,890				2,236,890	1840
93,043,927	**9,765,033**	**8,830,654**	**1,780,505**	**113,420,119**	Totals to 1841

Sales.	Grants to individuals (other than for internal improvements).	Grants to States (other than for internal improvements).	Grants for internal improvements (to States and corporations).	Total disposition.	
1,164,796		7,906,554	259,368	9,330,718	1841
1,129,218	210,720		24,219	1,364,157	1842
1,605,264	640			1,605,904	1843
1,754,763	144,131			1,898,894	1844
1,843,527		1,997.967	796,630	4,638,124	1845
2,263,731		1,050,709		3,314,440	1846
2,521,306	13.210,360			15,731,666	1847
1,887,553			113,348	2,000,901	1848
1,329,903	1,280	13,831,443		15,162,626	1849
1,405,839	15,733,285	59,998,217	3,751,711	80,889,052	1850
1,846,847				1,846,847	1851
1,553,071	1,735,976		2,514,711	5,803,758	1852
1,083,495	290,534	9,254,079	2,682,171	13,310,279	1853
7,035,735	373,929	92,160		7,501,824	1854
15,729,525	33.993,790	550,893		50,274,208	1855
9,227,879			14,559,729	23,787,608	1856
4,142,744		3,098,710	5,118,450	12,359,904	1857
3,804,908	6,667			3,811,575	1858
3,961,581		3,421,866		7,383,447	1859
3,461,204		3,929,279		7,390,483	1860
61,796,816	**75,466,345**	**113,962,531**	**31,600,842**	**382,826,534**	Totals to 1861
1,465,604		13,361,902		14,827,506	1861
144,850		9,600,000	23,504,001	33,248,851	1862
91,354	1,075,775	3,068,231	4,439,143	8,674,503	1863
432,734	1,247,170	6,844,551	47,209,927	55,734,382	1864
557,212	1.141,443	4,031,328	1,328,000	6,057,983	1865
388,294	1,890,847		34,686.075	36,965,000	1866
756,620	1,834,512		126,910	2,718,042	1867
914,941	2,332,151	3,480,281		6,727,373	1868
2,899,544	2,698,481		104,080	5,702,105	1869
2,159,515	3,754,203		1,000,000	6,913,718	1870
1,389,982	4,657,355	76,735	18,903,218	25.027,290	1871
1,370,320	4,595,435		327,903	6,293,658	1872
1,626,266	3,810,536			5,436,802	1873
1,041,345	4,340,795			5,382,140	1874
745,061	2,843,476	3,761,635		7,350,172	1875
640,691	3,467,730			4,108,421	1876
754,789	2,700,808			3.455,597	1877
1,188,108	6,399,892			7,588,000	1878
622,573	8,042,886			8,665,459	1879
850,740	8,224,192			9,074,932	1880
81,837,359	**140,524,032**	**158,187,194**	**162,230,099**	**642,778,684**	Totals to 1881
1,587,617	6,791,899	230,400		8,609,916	1881
3,611,530	8,894.731			12,506,261	1882
5,547,610	11,272,844			16,820,454	1883
6,317,847	11,915,972			18,233,819	1884
3,912,450	12,170,890			16,083,340	1885
3,773,498	14,536,444			18,309,942	1886
5,587,910	11,818,747			17,406,657	1887
5,790,652	10,411,920			16,202,572	1888
3,867,433	8,580,299	15,382,768		27,830,500	1889
3,302.846	7,219,081	7,540,760		15,693,760	1890
2,143,090	6,009,399			8,152,489	1891
— 10,000,000	— 20,489,314		— 52,669,674	— 83,158,988	Reversions
217,279,842	**229,656,944**	**181,341,122**	**109,560,425**	**735,469,406**	Tot'ls to 1892

XI.

WHY THE SOUTH WAS DEFEATED IN THE CIVIL WAR.

THE question which we shall try to answer in this essay is apparently very simple. Ask an officer of the Union army, and he will tell you that the North won because of our great generals—that Thomas, Sheridan, Sherman, and Grant broke the Confederacy to pieces. Ask a soldier how the victory was won, and he will tell you that "the Sixth Corps smashed Ewell at Sailor's Creek," or that "Sherman's veterans cut the Confederacy in two." Ask a public man, and he will tell you, perhaps in ten volumes, that it was Abraham Lincoln to whom we owe the success of the Union. Ask Abraham Lincoln himself, and he would reply in the spirit of those words which no repetition can make trite, and which prove him a master of English as he was a master of men, that the war was carried on by "a government of the people, by the people, and for the people." Each of these

answers is true so far as it goes. The Confederacy never could have been put down without commanders of genius, guiding magnificent armies, supported by those statesmen of whom Abraham Lincoln was the chief, backed up by the devotion and self-sacrifice of a great nation. Military men have a saying that there comes a time in a campaign when, if victory is to be obtained, it is necessary to put into service the last officer, the last man, the last camp follower, and the last army mule; and the triumphant and complete success of the northern arms in the Civil War is due to the fact that when the final test of strength came in 1864–65, the North had at every point more officers, more men, more camp followers, and more army mules.

Yet even an observer who could have foreseen the eventual combination of military, material, and moral forces of the Northern people, might still have predicted in 1861 that the Southern Confederacy would obtain its independence. A Southern address of April 30, 1861, declared that "a triumphant victory and independence with an unparalleled career of glory, prosperity, and progress await us in the future." At the beginning of the struggle the Southern leaders, even those who best understood the fighting spirit of the North, were as confident of success as they were of the rising of the sun. Thus Jefferson Davis, in his message of July 20, 1861, declared that "to speak of subjugat-

ing such a people, so united and determined, is to speak in a language incomprehensible to them." Toward the close of 1862, Mr. Gladstone made his famous declaration—which he has lived to repent: "There is no doubt that Jefferson Davis and other leaders of the South have made an army; that they are making, it appears, a navy; and that they have made what is more than either; they have made a nation." At the very beginning of the struggle, old General Wool gave it as his military opinion that two hundred thousand troops should be placed in the field against Richmond; and Sherman asked for a like number in Kentucky, if the movement were to be put down at the outset. No Southerner and few foreigners believed that the North possessed a military superiority over the South. To be sure, John Bright, who might with William Lloyd Garrison have said, "The world is my country," not only asserted the rightfulness of the principles of the North, but predicted its success; and Cairnes, in his book upon the Slave-power, showed reason why we must succeed; but most other observers saw only that Virginia was older than Plymouth, that the South had had as long and as eventful a history as the North, that in the Revolution and after it Southern statesmen had stood on more than equal terms with Northern, and that for seventy years the influence of the South had been predominant in internal parties and in foreign policy. What reason was there to

suppose that when the two sections were separated, the South would prove inferior? It was known that the population of the South was smaller, but the experience of the world up to that time seemed to show that a people determined to resist could not be permanently conquered by four times their force, unless a policy of extermination were adopted. Holland, with its two millions, had sustained itself during a war of seventy years against the greatest and proudest empire of the world; Spain, from 1809 to 1812, had by a popular uprising successfully resisted the armies of Napoleon; Ireland, after a domination of seven centuries, is not yet perfectly subdued; the American colonies, with a population of three millions, had successfully resisted the mother country with a population of twelve millions; the feeble Spanish American colonies, with the exception of Cuba, had all won their independence against the force of Spain. The secession of the Southern States and their acceptance of the issue of the war was, therefore, not a foolhardy enterprise: the experience of mankind made it probable that it would succeed. Nor did the Confederacy expect to depend wholly upon its own resources. One of the first acts of the Confederate Government was to send envoys to foreign powers. The South believed that its cotton was so essential to England and to France that they must interfere, if necessary, to assist the infant nation; and great was the jubilation when, on the

3d of December, 1863, Pope Pius IX. addressed a letter to that "*illustris et honorabilis vir*," Jefferson Davis, which was construed by the Confederacy into a recognition by a foreign potentate—the only recognition which it ever received.

The first years of the war were not such as to destroy the hopes of the South. The first battle of Bull Run, in 1861; the second battle of Bull Run, and Pittsburg Landing, in 1862; Chickamauga, Chancellorsville, and even Gettysburg, in 1863, proved that the South might still hope to maintain itself in the field, until dissensions in the North, or foreign complications, or the intervention of foreign powers, should put an end to the war. To the last, the Northern armies were fully employed. In the great campaign of 1864, Grant lost more than the entire army of Lee; and at the end of it Lee's army was intact. The military collapse of the Confederacy was not the result of happy accident, nor of overpowering generalship; it was caused by the steady unremitting pressure of an adversary superior in forces, in resources, and in morale. After the war was over, Lee was once asked by a Confederate officer why, during the campaign of 1864, he never made a diversion or a sudden attack upon Grant's lines; and Lee replied that Grant had but once throughout the campaign given him an opportunity, and that that opportunity had been lost by the error of a subordinate. Nowhere in history is there an example of more

undiscouraged attack or more stubborn resistance, than in the Civil War.

Some deeper causes must, therefore, be sought if we will account for the fact that not only was the South beaten, but that the defeat was overwhelming, absolute, and permanent. There must have been essential differences in the character and the equipment of the two sides; and it is the purpose of this essay to discuss those differences, and to show what constituted the weakness of the South and the strength of the North. We shall not concern ourselves with the causes of secession, with the question whether it was constitutional or unconstitutional, right or wrong. We shall simply take the two sections as they existed on April 12, 1861, when the war began with the firing upon Fort Sumter, and as they were developed down to the surrender of the Southern army in 1865. Some of the reasons for the success of the North are to be found in the geographical situation of the two parts of the country, some in the economic differences of the two sections, some in the social differences in their civilization, and some in the different moral quality of the people, and the institutions for which they were fighting.

At the beginning of the struggle, the advantage of geographical situation seemed to be decidedly with the South. Leaving out of account the Territories and the two States of the Pacific Slope, which entered very little into the military contest,

the remaining seventeen free States had, in 1860, 768,255 square miles, while the fifteen slave-holding States had an area of 875,743 square miles. This larger territory, however, was not in itself a source of military strength. Its frontiers were vast and difficult to defend, and a very considerable part of that territory never came under the control of the Confederate States of America. In the resources of the soil, in variety of natural production, the South was in every way equal to the North. The great staple of the South had for many years been cotton. It was easily raised, easily handled, had considerable value in small bulk, and commanded a good price in cash in the markets of the world. The cotton crop of 1860 was 4,700,000 bales, valued at $230,000,000. With cotton and the proceeds of cotton, the South was able to buy clothing, supplies, and food; for it is a notable fact that for many years the South had been accustomed to supply itself in part with bacon and corn from the Northwestern States. One of the early acts of the Confederacy was to prohibit the exportation of cotton, except from Confederate seaports; it was hoped thereby to bring foreign powers to interfere. The result was that a considerable part of the cotton crop of 1860 and almost the whole of the crops of 1861–2–3–4 were shut in by the blockade. A great pressure was brought to bear by the Confederate Government upon the planters, to induce them to sow corn, and this

pressure had especial effect in the year 1864. The industry of the people, particularly in Georgia, prepared a bountiful crop, which ripened just in time to furnish subsistence for Sherman's army on its march to the sea. Toward the end of the war the people of Richmond sometimes suffered for food. George Cary Eggleston, in his "Rebel's Recollections," tells pathetic stories of the wretchedness to which the troops were reduced in 1865; and it is well known that at the surrender of Appomattox, General Lee was obliged to ask for rations for his troops from the commander of the conquering forces. The Northern staples throughout the war, especially bread-stuffs, were freely exported, and were turned into goods and munitions of war.

Inferior as the South was in its products, it was strong in natural defences. The Atlantic and Gulf coasts abounded in shallow harbors not easily penetrable by a hostile force. It was a coast difficult to invade, yet furnishing many havens from which cruisers and privateers might sally forth. Throughout the war no progress was made by Northern armies moving inward from the sea-board, except on the Mississippi.

From the valley of the Shenandoah to northern Alabama the South was flanked by a natural and impregnable defence, the Appalachian chain of mountains. In the conditions of military transportation at that time it was impossible for a large

army to carry with it the supplies for men and animals necessary for a march of a hundred miles through a mountain region. At the beginning of the war Lincoln, with the supreme common-sense which, when applied to military matters, made him often a better general than the generals, suggested that a railroad should be built southeast from some point on the Ohio River, to penetrate the mountain system. The next few years showed that had that counsel been followed it might have shortened the war, by a year; for the only country between Harper's Ferry and northern Mississippi which at that time was penetrated by a railroad leading from north to south was the rugged region lying between Chattanooga and Atlanta. Down that line of railroad Sherman fought his way in 1864; and from Atlanta he proceeded on the march which cut the Confederacy in twain. Except upon that line of railroad the South proved impregnable to land assault from the northwest.

Another vast geographical advantage which the South possessed at the beginning of the war disappeared in 1863. By its control of the mouth of the Mississippi, the Southern Confederacy expected to compel the friendship, if not the adhesion, of the upper Mississippi States. The South believed that it held in its hand the key to the commerce of the interior of the Union, and an early act of the Confederate Congress declared the Mississippi open to the friends of the Confeder-

acy. But the Erie Canal and the four lines of trans-Alleghany railways, the New York Central, Erie, Pennsylvania Central, and Baltimore & Ohio, united the West still more strongly to the East. The Northwestern States saw, aside from all moral questions connected with slavery, that the success of the Union meant that both the eastern and the southern highways would be opened, while the success of the Confederacy meant that one or the other must be in the hands of a hostile power. Whatever the expectations of the South, the capture of New Orleans in 1862, and of Vicksburg, July 4, 1863, not only dismembered the Confederacy, but quieted the fears of the northern interior States. Thenceforward, as Lincoln wrote, "the Father of Waters rolled unvexed to the sea."

Another military advantage for the South was the sparseness of its population, and the fact that a great part of the theatre of war was untilled. Except in the Shenandoah Valley, to a less degree in Mississippi, the Federal armies could nowhere support themselves from the country until Sherman's march to the sea in 1864. They advanced through regions heavily wooded, and they advanced into an enemy's country. The South had not only the advantages of situation, but of fighting in the midst of a friendly population and fighting on the inside lines. However unpractical the transportation system of the South, it was much easier to move troops from Richmond to Atlanta than

from Washington to the Mississippi. In a word, the theatre of the war was finally narrowed to the strip of territory between the western edge of the mountains and the sea. Within that strip a smaller number of troops could make head against a larger number; and in the later stages of the war two hundred thousand Confederate troops kept a million Northern soldiers employed.

All comparisons of area and even of geographical advantages are subordinate to the question of the economic resources of the two sections—in men, in wealth, in courage, in military resources, and in means of communication. And here we reach that disadvantage of the South to which its conquest must be chiefly attributed. We have, in the census of 1860, the means of exactly comparing the population of the two sections at the outbreak of the war. The 15 slaveholding States had a population of 12,315,373; the 17 northern free States, from Kansas to Maine, had a population of 18,441-017; that is, the population of the slave-holding region to the free region was about as two to three.

The proportion between the population of the free and of the slaveholding sections had greatly changed since 1790. In that year the South had a population equal to the combined population of the Middle and New England States. In 1830, the North had gained a million more than the South; in 1860, it had gained six millions more. The rapid growth of the North had been due in

great part to immigration : of the 4,136,175 foreign-born persons within the limits of the United States in 1860, only about three hundred thousand could be found in the slaveholding States outside the cities of St. Louis, Louisville, Baltimore, and New Orleans—all cities connected as much with the West as with the South. In the North, the proportion of foreigners was twenty per cent.; in the Confederacy, it was three per cent. The changed importance of the two sections is shown in the census maps which illustrate the distribution of the population by degrees of density in 1790 and in 1860. It will be seen at once that almost all the areas of dense population are found north of the Ohio River, and of Maryland and Virginia. The loss of Southern predominance is shown by the fact that, in 1790, of the seven first States of the Union in order of population, four were slave States; in 1860, of the seven first States, but one was a slave State, and that was Missouri, which, in 1790, had been a wilderness and not within the limits of the United States. In fact, nothing can be more certain than that the Civil War was precipitated by the conviction of Southern leaders that the North had such a growing advantage in population that each decade of delay made the South weaker in proportion.

Yet the superiority of Northern numbers was plainly entirely insufficient for carrying on a war of offence and of conquest. A comparison between

the population of the slaveholding and that of the free States does not tell the whole story. The Southern Confederacy, at the very beginning, encountered a fatal disappointment; it failed to carry with it four of the slaveholding States, Missouri, Maryland, Delaware, Kentucky, and a part of a fifth, West Virginia. These five States, having a combined population of 3,600,000 people, never seceded and never furnished money by loan or taxation for the Confederate cause; and the men who entered the Confederate army from those States were nearly offset by the mountaineers from Tennessee and North Carolina who entered the Union Army. The action of a few patriotic men like Holt of Kentucky, Fletcher of Missouri, and Brown of Maryland, and the prompt action of Butler and Frémont and Buell and Grant, in securing a military occupation of those States, prevented them from throwing in their lot with the Confederacy. The population of the eleven seceding States was 8,700,000; the population of the twenty-one non-seceding States, from Kansas to Maine, was 21,950,000. Instead of the odds of population being three to two in favor of the North, they were thus made five to two. With proper military management, aided by a spirited support from the Northern people, the defeat of the South was therefore physically possible; indeed, defeat was likely. Nor was this the only advantage gained by the North through its rela-

tions with the border States in 1861. The theatre of war was thrust further south. The possession of Kentucky and Missouri enabled the northern troops to block the entrance to the Tennessee and to the Missouri Rivers; and the military occupation of the border States, which were justly assumed to be lukewarm in their support of the Union, made it possible to return from those States members of Congress who did not represent their people; thus was insured that compact majority in Congress which supported the President, pressed forward the war, urged through the constitutional amendments, and completed the process of reconstruction. When Virginia, in April, 1861, responded with a defiance to the President's call for troops, she did it because she understood, as Von Holst has well said, that she belonged either to hammer or anvil, and she preferred to strike rather than to receive a blow. Though the secession of Maryland, Kentucky, and Missouri was prevented, those States could not remove the war from their borders; but their strength was lost to the weaker party, if not wholly transferred to the stronger.

If, then, the South were to win, a numerical inferiority must be made up by a superiority of resources; but in wealth still more than in numbers the South had lagged behind. In the seceding States, 56,000,000 acres of land were improved, and the total value of farm lands was $1,850,000,000. In the North and the border States the improved

land was less than twice as great in area but its value was $4,800,000,000, or more than two and a half times as much. Throughout the South the tillage was primitive and rude and most of it was carried on by slave labor; in the North, machinery and improved processes made it possible to raise a larger crop in proportion to the laborers employed. Manufactures of every kind were wofully deficient in the South. In a region including the enormous coal and iron beds of Alabama and Georgia, one of the richest deposits on the face of the earth, there were but one modern blast furnace and ten rail mills. To manufacture its great staple, cotton, the South had but 150 factories, against more than 900 in the North, and the value of the manufactured fabric of the South was but $8,000,000, in the total of $115,000,000. Of the 1,260 woollen factories of the country, only 78 were in the South. The manufacture of clothing, an essential industry when war is going on, employed, in 1860, less than 2,000 persons in the Southern States, and nearly 100,000 in the North. Of boots and shoes, the South furnished but three per cent. of the product. Well did the Lynchburg *Virginian* say:

"Dependent upon Europe and the North for almost every yard of cloth, and every coat and boot and hat that we wear, for our axes, scythes, tubs, and buckets, in short, for everything except our bread and meat, it must occur to the South that if our relations with the North are ever sev-

ered—and how soon they may be none can know; may God forbid it long!—we should, in all the South, not be able to clothe ourselves; we could not fill our firesides, plough our fields, nor mow our meadows; in fact, we should be reduced to a state more abject than we are willing to look at even prospectively. And yet, all of these things staring us in the face, we shut our eyes and go in blindfold."

The accumulated wealth of the two sections is hard to estimate. The real estate of the South was, in 1860, valued at under $2,000,000,000; that of the North at over $5,000,000,000. The personal estate of each was returned at about $2,500,000,000; but in the South that personalty consisted in great part of slaves, a form of riches which proved to have a singular aptitude for taking to itself wings and flying away. Perhaps a better comparison of wealth is that of imports; in 1860 the South imported $31,000,000 worth of goods, and the North $331,000,000 worth.

In modern warfare, however, credit is often as valuable as property. Here again the South was from the first in a position of inferiority. At the beginning of the war the South had a banking capital of $47,000,000; the North, of about $330,000,000. The accumulations of specie and of stocks of goods in the South were probably not one-seventh of those in the North. The very first attempts to raise money on any considerable scale showed the weakness of the South. The taxes

were rigorous and steadily increased, but the money with which to pay them did not exist; and provision for payment in kind was made at the very beginning. Cotton and food products were the usual legal-tender; but at one time the women of the South were called upon to subscribe their hair to be sold for the support of the government, and they responded in that spirit of heroic self-devotion which marked the Southern women throughout the struggle. It is impossible to give the figures of the revenue or expenditure of the Confederate Government after the first year of the war. It is probable that in no year did the government receive in taxes and loans the equivalent of $100,000,000 in greenback currency; while the North in the year 1865 raised in taxes, $322,000,000, and borrowed $1,472,000,000, a considerable part abroad. Of the debt of the Confederacy it is equally impossible to speak with accuracy. On one occasion the Secretary of the Confederate Treasury sent in to Congress a report in which he stated the outstanding debt. The next day the report was withdrawn because a trifling error in the total had been discovered. The error was $400,000,000; what the total must have been may be left to the imagination. It is enough to say that the resources of the country were drained for the support of the government, that paper money was floated until it would float no longer, until it was signed in basketsfull by young ladies of good

family in Richmond, until post-office clerks resigned because they could no longer live on nine thousand dollars a year. The popular state of mind in regard to Southern finances is well stated in a story related by a Confederate officer. A raw-boned countryman was seen riding through the camp upon a fine horse. An officer stopped him and offered him five hundred dollars for the horse. "What," said the man, "five hundred dollars for that horse? Five hundred dollars! Why, I paid a thousand dollars this morning for currying of him." Mr. Eggleston relates that the highest price he ever saw paid was five hundred dollars for a pair of boots. After Lee's surrender, when no amount of Confederate currency was of any value, and greenbacks were hard to obtain, a Virginia gentleman travelled a long distance with no other funds than a keg of molasses: for entertainment or ferriage, he simply opened the spigot and let a sufficient quantity flow to pay his bill.

The poverty of the South, a poverty made more unendurable by the rigorous blockade, bore especially hard in the matter of military supplies. The one large iron works in the Confederacy, the Tredegar, at Richmond, was run night and day to supply materials. Arms, cannon, munitions could be imported in limited quantities by the blockade runners; clothing came in the same way; but medical supplies, hospital comforts, even food, were often lacking. According to a Confederate

officer, great was the joy expressed in the army when, by a convenient obliquity of vision on the part of General Butler, who commanded the Union lines at that point, a cargo of Bermuda onions was brought through the Union lines and issued to Lee's army.

The North, on the other hand, was supplied with all that a rich country could furnish, or that money could buy in foreign countries. No army in the history of the world was ever so well fed, probably no army was ever so well clothed, as that of the United States. No army has ever had such a well-organized and devoted corps of men and women to care for wounded and sick. And when we consider, as we must with a shudder, the sufferings of Northern soldiers in the Southern prison pens, we must remember that, while the worst horrors of their confinement were caused by the deliberate neglect and brutality of those in charge of their camps, their coarse food and wretched clothing were often no worse than those of the Southern troops in the front.

Yet there were still, after the surrender of Lee and Johnston, many thousands of men under arms, and a guerilla warfare would have been possible. The Mississippi was ploughed from its source to the sea by Northern steamers, yet the troops of Arkansas, Texas, and Louisiana had still managed to reach the main Confederate armies. Sherman made his magnificent march from Atlanta to the

sea, and the country closed behind him unconquered and ungarrisoned. But the very magnitude of the efforts put forth by the South, convinced it in 1865 that longer resistance was useless. The true military reason for the collapse of the Confederacy is to be found, not so much in the fearful hammer-like blows of Thomas, Sherman, and Grant, as in the efforts of an unseen enemy, the ships of the blockading squadrons. Never in the history of the world has a navy been called upon to perform such a difficult and almost impossible task as fell to the American Navy. A coast-line of two thousand five hundred miles, with more than thirty ports practicable for blockade runners, was so sealed up that the South was thrown upon its own resources. The struggle could not be prolonged, because the army could be neither fed nor supplied from the cotton bales. The wealth of the country went to waste because it could not be exchanged for the foreign products essential for the prosecution of the war.

The limited military resources of the South were made less available because of the lack of sufficient internal transportation. The water-ways, both on the rivers and to the eastward, were early occupied or blockaded by the North. Union troops could be shipped from New York to Hampton Roads, or to Florida, or to Mobile, or to New Orleans; after the first months of the war no Confederate troops could be forwarded by sea. The

country, therefore, was thrown upon its railroads. These roads were few, improperly built, as had been the case also in the North, and they steadily deteriorated. When the rails wore out, new ones could at last no longer be provided; when locomotives broke down, unless a Northern prisoner consented to repair them, there were often no mechanics at hand. Important links, necessary to complete the connection between the Southwest and the coast were never built. The raids and the long marches at the end of the war so completed the ruin of the railroads that there was practically nothing left of them but the road-beds. Thus the Confederates, who in the first battle of Bull Run were the first combatants in history to reinforce an army in line of battle by means of a railroad, were at the end often reduced to the Southern "dirt roads," than which no highway can be worse; at the same time they saw their old railroads, repaired and mended by Northern mechanics under the protection of Northern troops, bringing Northern armies down to complete their conquest.

A venerable though scarcely reverent proverb assures us that God is on the side of the strongest battalions. The battalions of the North, as we have seen, were stronger than those of the South in numbers, in resources, in military supplies, and in means of communication. The Northern people excelled in organization, were little, if at all, inferior in military aptitude, and they were free

from the weakening influence of slavery. If the forces of the two sections were all drawn out and employed, and if they were left to fight their battles alone, the North must therefore in the end be victorious. Moreover, the North had such a large surplus of strength and resources that it might do less than its utmost and still overpower the South. The North never put forth quite its full strength. The border States were throughout the war occupied as advanced posts; troops were raised in them, but the people were never completely trusted; when, after 1864, it was seen that slavery was to be destroyed everywhere, and that the compensation to their slaves once refused by the border States, would not again be offered, those States continued a source of weakness rather than of strength. Throughout the Union, indeed, there was opposition to the war or to the manner in which it was carried on. As wise and self-sustained a President as Lincoln felt unable to withstand the pressure to appoint officers for political rather than for military reasons.

Nevertheless the war period was a time of great commercial and economic development. Farms were being taken up in the West. From 1861 to 1865, 4,700,000 acres of the public domain passed from the ownership of the Government to that of settlers. The railroads increased from 31,286 miles to 35,085 miles, or one-eighth, during the four years of war.

Imports, which in all the United States, including the seceding States, had been in 1860, 362 millions, in 1864 were 329 millions for the loyal States alone. The country presented the striking spectacle of a nation advancing from year to year in wealth and population, while fighting an expensive and bloody war. The total number of enlistments and re-enlistments in the North and border States during the four years of the war, is stated at 2,859, 132, out of a total population of 22,000,000, and out of a population of men between eighteen and forty-five of 4,470,000. The greatest number under arms at one time was 1,000,516, May 1, 1865. The enlistments in the South during the same period, were possibly 1,200,000 of the total population. Both sections put forth all the effort and sent forward all the men that the country could be induced to furnish; but the South, because standing upon the defensive, repelling invaders, and fighting for independence, was able to call forth a degree of sacrifice which no offensive war could have commanded.

From the middle of 1862, the Northern troops were constantly pressing upon the South, and occupying one belt of territory after another. The result was a loss of a considerable portion of the troops who might have been raised out of the conquered regions. As grew the necessity for raising men, the circle narrowed out of which those men could be raised; and, as hope died out, men

deserted by thousands, until in the last despairing days of the Confederacy, President Davis and General Lee agreed that the last possibility of success was in arming the negroes, and a company of black convicts from the Richmond jails was actually organized.

In the struggle between two powers, in which one had such a superiority of numbers and of resources, there was but one thing which could give the South any hope. If the people were superior in organization, in intelligence, in military aptitude, in moral qualities, they might still stand out against the overwhelming odds, and might secure their independence. Many things in the political and social organization of the South adapted it for war. In the first place the South had, or supposed it had, able leaders, both civil and military. Jefferson Davis, who was, almost without opposition, elected to be President of the Confederacy, was a man of both civil and military experience. As Secretary of War, under President Pierce, he had been an excellent official; as a graduate of West Point and an officer, he had seen active service in the Mexican War. He believed, with some reason, that he had distinct military genius. In fact, it is related on Confederate authority that Mrs. Davis once remarked of him that "Jeff had but two faults; he preferred West Point graduates and his first wife's relations." General Braxton Bragg, who was defeated by Sherman at Mission

Ridge, was one of the first wife's relations. Davis was believed in the South and abroad to be a statesman of ability and of force. This reputation he was unable to justify, because he was continually called upon to strain the powers of government to their utmost limit, and perhaps a little farther. When disasters came showering upon the Confederacy, there was a natural tendency to hold some one person responsible, and there was an organized opposition against Davis, an opposition represented by Pollard, who has done so much through his "Lost Cause" to tincture the popular impression of the Confederacy in the Civil War. Stephens, as vice-president, and thus removed from the active control of affairs, represented what would have been called before the war a State Rights tendency. The other civil leaders, with a few exceptions, showed a singular incompetency. It was remarked that the Confederate Congress was a place for men to lose the reputation which they had previously acquired in Washington. President Davis's Cabinet was made up in great part of feeble or incapable men. One Secretary of War, Mr. Sedden, excited great dissatisfaction because it was found that he had fixed an official price of forty dollars per bushel for wheat, and then had sold his own wheat to the Government at that enhanced price. In the subordinate departments of Government, incapacity was almost the rule. The commercial training of the North

had raised up a race of capable young men accustomed to business affairs. In every regiment there could be found among the private soldiers men who wrote good hands and could keep books, and who were therefore drawn into the adjutant's and commissariat's departments. In the South it was difficult to find men capable of understanding or of keeping accounts, and throughout the war the commissariat was the most hopelessly insufficient of all the military departments. The result was a waste of resource and effort. In the book called the "Rebel War Clerk's Diary" and in George Cary Eggleston's "Rebel's Recollections," are recorded many entertaining and pathetic incidents. Here is an example of the lack of organization and business system. There was established in Richmond a vexatious system of passports, applying as well to civilians as to soldiers. It was so administered as to cause delay and expense to persons passing through the city on business for the Government, but afforded no obstacle to spies and illicit traders. Inquiry was finally made as to the authority under which this system came to be established, and when run to earth it appeared that a secretary no longer in office had given an order, which he had not ventured to commit to writing.

"From the beginning to the end of the war," says an officer, "the commissariat was just sufficiently well-managed to keep the troops in a state

of semi-starvation. On one occasion the company of artillery to which I was attached, lived for thirteen days in winter quarters on a daily dole of half a pint of cornmeal per man, while food in abundance was stored within five miles of its camp—a railroad uniting the two places, and the wagons of the battery being idle all the time." Nevertheless, with all the defects of organization, the leaders understood their people, and they were able to call to their assistance all the military and intellectual strength of the country. On the other hand, the political system of the South had accustomed the people to pay a deference to leaders unusual in the North. The distinction of classes was such that a rough but efficient military discipline was possible. Between the civil and military leaders there existed a far greater degree of harmony than in the North. It was notorious that President Davis disliked General Joe Johnston; but, on the other hand, from 1862 to 1865, while the army of the Potomac fought under eight different commanders, the Southern Army of Virginia never was removed from the command of Robert E. Lee.

It is a remarkable fact that the Southern Confederacy, formed as a protest against the alleged centralizing tendencies of the United States Government, suffered a greater degree of centralization than its rival in Washington. The conscription of troops was carried to such a degree that Gov-

ernor Brown of Georgia refused in set terms to permit the Confederate recruiting officers to exercise their functions within his State. In December, 1862, was made a *levée en masse* of the able-bodied male population between the ages of eighteen and forty-five. The familiar practice by which, since the Civil War, men connected with the Confederate Army have been preferred in the elections in the South, is due not so much to a wish to show them honor, as to the fact that almost every man of any force of character was compelled by public sentiment to enter the army. One reason for the concentration of power in the Confederacy was that the Supreme Court, which was to have formed a department of the Government, was never organized. There was, therefore, no legal check upon the Congress or the President. Whatever the Confederacy contained in money, in men, in supplies, in food, could be brought into the service of the Government.

The internal workings of the Confederate Government were by no means smooth. Almost from the beginning there was in Congress an organized opposition to President Davis. As that body sat usually in secret session, the details of the attacks upon the President and his policy have not been made public. But the following extract from Pollard's "Lost Cause," the work of an editor of the Richmond *Examiner*, shows the spirit of his opponents toward the end of the war:

"The influence of President Davis was almost entirely gone, and . . . the party which supported him was scarcely anything more than that train of followers which always fawns on power and lives on patronage . . . all the public measures of Mr. Davis's administration had come to be wrecks . . . it was no longer possible to dispute the question of maladministration."

A recent examination of the Confederate Journals of Congress, shows that President Davis in his four years of service vetoed thirty-eight bills, of which but one, an unimportant measure for the forwarding of newspapers to the soldiers without payment of postage, was passed over the veto. During the same period of four years, President Lincoln vetoed but three bills.

The relations between the Confederate Government and the States were closer than between the United States and its members. Almost the only case of conflict between the Confederate and the State authorities was the refusal of Governor Brown to permit conscription in Georgia. There are, however, two other interesting instances of local opposition to Confederate authorities. Resolutions were adopted in November, 1861, by the people of Winston County, Alabama, setting forth the fact that 515 Union men were still to be found in that county against 128 "secessionists and legal voters," of whom 70 were in the Confederate Army. The Unionists still refused to assist the Confeder-

acy, and were organized in military companies. A much more amusing case is that of Jones County, Mississippi. The 3,300 people of this county became tired of the burdens of the Civil War, and by a convention held in 1862 formally seceded from the State and Confederacy:

"Whereas, the State of Mississippi, for reasons which appear justifiable, has seen fit to withdraw from the Federal Union, and whereas we, the citizens of Jones County, claim the same right, thinking our grievances are sufficient by reason of an unjust law passed by the Confederate States of America, forcing us to go to distant parts, etc., etc. Therefore, be it resolved, that we sever the union heretofore existing between Jones County and the State of Mississippi, and proclaim our Independence of the said State, and of the Confederate States of America—and we solemnly call upon Almighty God to witness and bless the act."

A resolution offering their alliance to the United States was not adopted. The sovereign nation of Jones County with its president, cabinet, Congress, code of laws, and conscription and confiscation acts —nailed to trees, since there was no newspaper in the commonwealth—was able for some time to maintain itself in the midst of the swamps against the troops sent to subdue it. Finally, by the aid of field guns the infant commonwealth was overcome and the authority of the Confederacy was re-

stored.* The swift and ruthless exercise of military powers, wherever the Confederacy had authority, is in striking contrast with the halting military relations between the United States of America and the States composing it. Among the Northern States there were always unsettled questions of the supply of troops and of the apportionment of quotas.

As a military agent, then, the Southern Confederacy was decidedly superior to the Union; and this superiority was due in part to a habit of deference and obedience to command uncommon to the North, in part to the fact that the President himself was a military man, in part to the arbitrary character of the government, in part to the personal character and the permanence of the military commanders.

This advantage was to a large degree offset by the inferior intelligence of the rank and file of the Confederate armies. Professor Hosmer, in the title of one of his books, "The Thinking Bayonet," suggests the essential of good military service. In the ruder warfare of ancient and mediæval times, the strength of an army was the sum of the physical strength of its members; since the introduction of long-range weapons, the efficiency of the

* This incident is related on the authority of the *Magazine of American History*, October, 1886 (vol. xvi., pp. 387–390). To a criticism of the statement the author of this essay has replied in the *Nation* of March 31, 1892 (vol. liv., p. 245).

soldier depends not upon his ability to wield a two-handed sword, but upon his ability to march, to bear hardship, and to keep cool. Intelligent troops have, therefore, a fundamental advantage over the less intelligent, and in this respect the South was from the beginning handicapped. The highest classes in the South, and particularly the military officers, were well educated. Jefferson in 1820 had complained that "Harvard will still prime it over us with her twenty professors," while Princeton was half Virginian, and five hundred young men were "at college in the North imbibing principles contrary to those of their own country." The sending of Southern young men of wealth to Northern colleges continued; but the population from which the rank and file of the Confederate Army was taken was ignorant, and a large number were illiterate. Of the 2,500,000 white persons above the age of twenty in the South in 1860, 412,256 could neither read nor write. Of 3,100 newspapers and periodicals published in 1861, the South had but 703. Nor was the deficiency in book education atoned for by a larger experience of life. The Southern soldiers had most of them spent their lives within a radius of a few miles. They were unaccustomed to variety, unable to endure violent changes. It is a striking fact, attested by the most trustworthy statistics, that the percentage of Southern prisoners who died in the well-conducted Northern prison of Elmira, was greater than the

percentage of Northern prisoners who died in Andersonville. The reason for this difference, as stated by surgeons who saw Northern and Southern men in the same hospital wards, is simply that the Southern men lacked the endurance possessed by men more accustomed to change. One such surgeon is accustomed to say that no men habitually fed on corn bread could compete with men habitually fed on wheat bread. Differences of diet, of habit, of climate, had tended to make out of the South a race easily incited to the fiercest of rapid effort, but which was less able to bear continuous fighting and hardship.

The Southern leaders were, of course, aware of the fact that their followers lacked education, but they believed that they possessed a superior military aptitude. At the beginning of the contest, the South was able more quickly to raise and to discipline troops, because the number of men accustomed to handle the gun was larger. The troops for the Mexican War had been raised in considerable part in the South, and the discipline and experience of that contest were therefore gained chiefly by the Confederacy. In officers the South was as rich as the North, because the West Point cadetships had been held almost in equal number from the two sections, and the Southerners who held them had been more likely to continue in military service, and to gain promotion. When the Civil War broke out, a large number of

those officers surrendered to the authorities of the Southern Confederacy the posts which they commanded. Albert Sidney Johnston, in command of the post of San Francisco, sternly put aside all suggestions that he should follow their example, placed the post in the hands of an officer appointed to succeed him, and then resigned his command and entered the Confederate service.

The confidence of the officers in their material was on the whole justified. An accurate comparison between the Northern and Southern volunteers is almost impossible, because their conditions were never equalized. Clothe the Northern soldier in the ragged butternut uniform, feed him on irregular and insufficient rations, scantily provide him with tents and cooking utensils, and then call upon him to face the Southern soldier, well clothed, well housed, well fed, and followed by a beneficent sanitary commission—and though the Northern soldier under such conditions would have fought well, he could not have fought better than his Southern rivals. All military authorities unite in their praise of that ill-uniformed and motley army which cheerfully followed "Uncle Robert" through the year 1864, in a campaign which they themselves believed to be hopeless. More active troops than "Stonewall Jackson's foot cavalry" never surprised an enemy by their capacity to be in two distant places on the same day. Braver and more determined hearts never beat beneath

a uniform than those in Pickett's division in the awful charge upon the Union lines at Gettysburg. What men could do with insufficient food and material of war, the Southern troops accomplished.

In one branch of the service the Confederates were, until well into the war, decidedly superior. Accustomed as the men of the South were to the saddle, their cavalry was much more efficient until Northern commanders like Charles Russell Lowell, Wilson, and Sheridan learned the Southern tactics from their opponents. The light cavalry, the eyes of the army, which made bold dashes into the Federal Territory, cut the communications of the Federal armies, and threatened cities far removed from the front—that light cavalry was at last successfully imitated and repelled by Sheridan.

In considering the population of the Confederate States as compared with that of the Northern States, we saw that it was about 9,000,000 to about 22,000,000. In that estimate we took no account of the fact that of the able-bodied Southerners more than one-third could not be accepted as soldiers. In the seceding States there were, in 1860, 3,511,110 slaves, and 432,586 free colored persons, making a total of 3,943,696 negroes. This leaves 5,447,219 white persons, of whom 1,064,193 were of military age, to carry on a struggle with 18,825,275 white persons in the North, to whom it is fair to add 2,650,243 in the border States—thus includ-

ing a military population of about 4,500,000. The men of the South now know, as the men of the North came to understand late in the war, and as foreign observers like Cairnes had shown almost before the war began, that the real contest was for the perpetuation or the destruction of slavery; yet from the moment the first shot was fired on Fort Sumter, to the surrender of the last command in 1865, that slavery for which the South was half-unconsciously fighting was itself undermining and destroying the Confederacy. There were many points of difference between the North and South, there were many mutual accusations of aggression and of bad faith. They all, however, came down to the simple undeniable truth that the North was opposed to slavery and meant to put an end to it, wherever it could be reached; that the South accepted slavery as an inevitable institution, and would permit no interference, direct or indirect. But for slavery, the question of secession and the right of secession could not have come up; but for slavery there could have been no disposition to fire on Fort Sumter and no necessity to defend it; but for slavery the two sections might have lived on with reasonable peace and good feeling. When the war was once begun, the Northern people realized, not that slavery could be destroyed by war, but that the war could be ended by destroying slavery. From the time of the President's preliminary proclama-

tion in September, 1862, it was evident that slavery could be retained only by the success of the South. For slavery as well as independence, the South was fighting; and slavery weakened every blow that was struck and every arm that struck a blow. To be sure, the South was able to enlist almost the whole able-bodied white population, because there was a population of slaves to till the fields and perform necessary service. The slaves assisted to construct fortifications and were useful as body servants in campaigns; but to put muskets into their hands meant practically that they must be freed. The contingency of slave insurrections the Southern leaders did not fear, and the event proved the justice of their confidence in the African race. As a Southern speaker has said: "A single brand flung into our houses would have caused our armies to be dissolved—and not one was flung." There appears to have been no case of a serious slave rising in any part of the South, from the beginning to the end of the Civil War. Yet the slaves proved in other ways a distinct source of weakness: wherever it was possible, and sometimes in circumstances of great difficulty, they gave information to the Union troops; they were our friends, and almost our only friends, in a region of the enemy. And although the slaves refused to rise, they had no conscientious scruples against running away. From the very beginning of the Civil War, therefore, our commanders experienced

the embarrassing presence in camp of negro refugees, not only from the inside of the hostile lines, but from the loyal residents of the border States. To return them meant to give additional means to our enemies; to retain them was an offence to our Southern friends. It was the service of an American general, whom nature had endowed with more wit than consistency, to dub this unfortunate class "contraband of war." After a very few months, fugitives were no longer returned either to enemies or friends; and almost every black throughout the South knew that should he once reach the Union lines he was practically free. Out of the embarrassment caused by the presence of these people, who had to be employed and often to be fed at Government expense, there sprang a measure which enabled the North in 1863–65 to preserve that superiority of force which was necessary in order to fight the war to the end. Of these black refugees there were enlisted as soldiers no less than 186,097 troops. They replaced Northern troops in garrison duty, they fought beside them in the field, and when the United States Government hesitated to squeeze out of reluctant States the additional number of men necessary for the reinforcement of its armies, those men were found among the slaves of the Southern planters.

In still another sense slavery was the cause of the military defeat of the South. We have already seen that the population of the North had

received large accessions through immigration. Those accessions were denied to the South chiefly because of slavery. The total number of foreigners found in the eleven seceding States is 1860 was about 233,000, of whom one-fourth were in New Orleans. The man who crossed the ocean to find more favorable conditions of life was not likely to choose a settlement in a part of the country in which labor was considered the mark of an inferior. Still more were the material wealth and military resources of the South diminished by slavery. The land was not less fertile, but, as we have seen, while the population of the slave States in 1869 was two-thirds that of the other States, their land was worth but one-third as much as that of the free States; and the methods of agriculture which impoverished the Southern lands and prevented their development grew out of slavery. The staple cotton crop was not cultivated merely because it was easily sold. It was cultivated because it was profitable to raise it by large gangs of ignorant men. Manufactures were ignored, not because Southerners did not appreciate their importance, but because it was impossible to carry them on efficiently or profitably with slave labor. The imports of the country were small, not merely because it was poor, but because so large a portion of the population was legally disqualified from buying anything for itself. The accumulations of capital were small because the system of

slave labor failed to encourage the savings and the investments which made the wealth of the North. The inefficient management of the financial affairs of the Confederacy was due in great part to the want of training in business habits, a result of the primitive methods of agriculture and of transit. The inability to keep up the railroads and to deal with sudden emergencies in time of war, the inferiority in bridge-building and in ship-building—all these were due, in great part, to the fact that the South had for more than three-quarters of a century deliberately chosen a system of slavery, while the neighboring States had deliberately chosen a system of freedom.

It is the favorite theory of political writers that there was in 1860 a distinct difference between Northern and Southern character, arising out of the fact that the dominant element in the North was descended from the Puritan, and in the South was descended from the Cavalier. It is now established that no such difference of origin can be proven. The Virginian and the Maryland planters, the New Jersey Quakers, and the Connecticut and Massachusetts settlers sprang from the same class in England. The elements chiefly represented in all the colonies at the time of their foundation were the intelligent yeomanry and small landowners. The aristocracy of which the South boasted so much was not descended from the younger or the older sons of English men of rank;

it was made up of the sons and grandsons and great-grandsons of those planters who were the first by their shrewdness and energy to acquire large landed estates. The climate had brought about some changes, and in the South there had been developed a class of small landowners, the so-called poor whites, who had but little improved during the century previous to the Civil War. The original bases of the white population were, however, the same. The great and fundamental difference between the sections was that in one of them the presence of a dependent race, and still more the existence of human slavery, had affected the social and the economic life of the people; that the productive energies of the North were employed while those of the South were dormant. The iron, the coal, the lumber, and the grain of the North were drawn out by the intelligent combination of the labor of the whole people; while in the South they remained undeveloped because it seemed to the commercial interest of the large landowners to perpetuate a system of agriculture founded on African slavery. For this mistake, for this preference for a system which had been abandoned by all other nations of the Teutonic race, the South paid a fearful penalty in the Civil War. Slavery had enfeebled the defenders of slavery, and they and the institution which they strove to protect fell together.

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